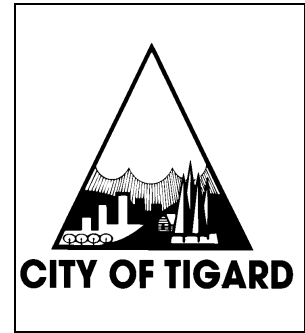

TIGARD CITY COUNCIL
MEETING

November 27, 2001 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, Ext. 309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, x309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
NOVEMBER 27, 2001

6:30 PM

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss real property transaction negotiations under ORS 192.660(1e). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING
 - 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items
2. VISITOR'S AGENDA (Two Minutes or Less, Please)
3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - 3.1 Approve Resolution of Necessity to Acquire Properties for the Gaarde Street Improvements (Phase 2) Project – Resolution No. 01 - _____
 - *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion*
4. UPDATE ON BULL MOUNTAIN ANNEXATION STUDY
 - a. Staff Report: Community Development Staff
 - b. Council Discussion

5. CONSIDER AN ORDINANCE AMENDING SECTION 10.28.030 OF THE TIGARD MUNICIPAL CODE CHANGING REFERENCE TO OREGON REVISED STATUTES AND ELIMINATING THE TERM "HOUSE TRAILER"
 - a. Staff Report: Police Staff
 - b. Council Discussion
 - c. Consideration of Ordinance No. 01- _____
6. CONSIDER AN ORDINANCE REPEALING ORDINANCE 96-08 AND ADOPTING REVISED TIGARD MUNICIPAL CODE PROVISIONS PERTAINING TO THE LOCAL CONTRACT REVIEW BOARD
 - a. Staff Report: Finance Staff
 - b. Council Discussion
 - c. Consideration of Ordinance No. 01- _____
7. VOTE ON THE CITY OF TIGARD'S CHOICE FOR THE WASHINGTON COUNTY OTHER CITIES ALTERNATE POSITION – METRO POLICY ADVISORY COMMITTEE (MPAC)
 - a. Staff Report: Administration Staff
 - b. Council Discussion
 - c. Council Consideration: Motion naming the City of Tigard's choice for the position of MPAC Alternate.
8. COUNCIL LIAISON REPORTS
9. NON AGENDA ITEMS
10. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
11. ADJOURNMENT

AGENDA ITEM # _____
FOR AGENDA OF November 27, 2001

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Resolution of Necessity to Acquire Properties for the Gaarde Street Improvements (Phase 2) Project

PREPARED BY: Vannie Nguyen DEPT HEAD OK A.P. Duenas CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Shall City Council approve the attached resolution declaring the need to acquire properties for the construction of the *Gaarde Street Improvements (Phase 2)* project?

STAFF RECOMMENDATION

Staff recommends that Council approve, by motion, the attached resolution declaring the need to acquire property for the construction of the project.

INFORMATION SUMMARY

The improvement of Gaarde Street between Walnut Street and Highway 99W is divided into two phases. The first phase of the project between Walnut Street and the Quail Hollow subdivision is identified as *Gaarde Street Improvements (Phase 1)*. Construction of the first phase was completed in August 2001. The second phase of the project is the reconstruction and widening of Gaarde Street between 121st Avenue and Highway 99W. This phase of the project is identified as *Gaarde Street Improvements (Phase 2)* and includes installation of a new traffic signal at the Gaarde Street/121st Avenue intersection and improvement to the 121st Avenue approach north of the intersection.

The project design is nearing completion and will be advertised for bids sometime in late January of 2002. Bidding the project in early 2002 would allow construction of the project to begin in the spring with the intent of completing all construction work by the end of calendar year 2002. To ensure timely construction of the project, all properties needed for the improvements must be acquired as soon as possible. The resolution of necessity for this project directs the City Manager and City's attorneys to attempt to negotiate a satisfactory agreement for purchase of each of the properties. In the event that satisfactory agreements cannot be reached, the resolution authorizes legal action in accordance with the provisions of ORS 281.510 to acquire the properties for timely implementation of the construction project.

OTHER ALTERNATIVES CONSIDERED

Delay implementation of the Gaarde Street (Phase 2) project and continue to negotiate until all properties are acquired.

ATTACHMENT LIST

Resolution of Necessity with attached Exhibit A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

The improvements proposed for the extension of Gaarde Street meet the Tigard Beyond Tomorrow goals of *Improve Traffic Safety* and *Improve Traffic Flow*.

FISCAL NOTES

The design and land acquisition necessary for the project are funded from Traffic Impact Fee funds in the FY 2001-2002 Capital Improvement Program.

I:\Citywide\Sum\Resolution of Necessity for Gaarde Street - Phase 2

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIGARD, OREGON
DECLARING THE NEED TO ACQUIRE PROPERTY FOR THE PURPOSE OF
CONSTRUCTING THE GAARDE STREET IMPROVEMENTS (PHASE 2) PROJECT IN
THE CITY OF TIGARD.**

WHEREAS, the Tigard City Charter grants the City authority to acquire land for public purposes; and

WHEREAS, the City of Tigard, is authorized by ORS 281.510 to purchase, acquire, take, use, enter upon and appropriate land and property within or without its corporate limits for the purpose of establishing, laying out, widening, enlarging or extending roads, streets or highways; and

WHEREAS, the improvement of Gaarde Street from 121st Avenue to Highway 99W is an approved capital improvement project currently being designed for construction beginning in the spring of 2002; and

WHEREAS, the improvement of Gaarde Street from 121st Avenue to Highway 99W is identified as *Gaarde Street Improvements (Phase 2)*, and includes the installation of a new traffic signal at the Gaarde Street/121st intersection, and improvement to the 121st Avenue approach north of the intersection; and

WHEREAS, for the public purposes of improving the streets within the City of Tigard, including the streets in the *Gaarde Street Improvements (Phase 2)* project, for the health, safety, benefit and general welfare of the public, the City Council has deemed necessary the acquisition of certain properties.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City of Tigard City Council does hereby find and declare that there is needed and required for the construction, operation, maintenance, repair and improvement of the streets in the *Gaarde Street Improvements (Phase 2)* project, properties located in the City of Tigard, Washington County, Oregon as described in Exhibit A attached hereto and incorporated herein by this reference.

SECTION 2: The improvement of Gaarde Street, for which the real properties and interest are described herein, are required and are being taken as necessary in the public interest and the improvements to said properties will be planned, designed, located and will be

RESOLUTION NO. 01-_____

constructed in a manner that will be most compatible with the greatest public benefit and the least private injury or damage.

SECTION 3: The Tigard City Manager and the City’s attorneys are authorized to attempt to agree with the owners and other persons in interest in the real properties described herein as to the compensation to be paid for the appropriation of the properties, and in the event that no satisfactory agreement can be reached, then the attorneys for the City of Tigard be and the same hereby are directed and authorized to commence and prosecute to final determination such proceedings as may be necessary to acquire the real properties and interest therein and that upon the filing of such proceeding, possession of the real properties and interest therein may be taken immediately to the extent provided by law.

SECTION 4: This resolution is effective immediately.

PASSED: This _____ day of _____, 2001.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

I:\Citywide\Res\Resolution of Necessity for Gaarde Street Improvements Phase 2.doc

EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands described to the Alranco, Inc., described in Fee No 95008978, Washington County Deed Records; being in the northeast quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the southeast corner of said Fee No 95008978, being in the existing south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the east line of said Fee No 95008978, South 00° 02' 59" West a distance of 10.00 feet; thence North 89° 27' 49" East a distance of 199.59 feet; thence South 00° 32' 11" East a distance of 1.03 feet; thence South 89° 27' 49" West a distance of 105.71 feet; thence North 00° 32' 11" East a distance of 3.00 feet; thence South 89° 27' 49" West a distance of 27.18 feet; thence South 80° 45' 46" West a distance of 17.77 feet to the west line of said Fee No 95008978; thence along said west line, North 00° 02' 59" West a distance of 12.69 feet to said existing north right-of-way line of SW Gaarde Street; thence along said existing north right-of-way line, North 89° 27' 49" West a distance of 350.00 feet to the Point of Beginning.

Containing an area of 3,841 square feet of land, more or less.

SLOPE AND UTILITY EASEMENT

A tract of land for slope and utility easement across those certain lands described to Alranco, Inc., described in Fee No 95008978, Washington County Deed Records; being in the northeast quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Commencing at the southeast corner of said Fee No 95008978, being in the existing south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the east line of said Fee No 95008978, South 00° 02' 59" West a distance of 10.00 feet to the Point of Beginning of the herein described easement; thence continuing along said east line, South 00° 02' 59" West a distance of 2.21 feet; thence South 89° 43' 46" West a distance of 89.30 feet; thence South 89° 51' 52" West a distance of 110.27 feet; thence North 00° 32' 11" West a distance of 1.03 feet; thence North 89° 27' 49" East a distance of 199.59 feet to the Point of Beginning of the herein described easement.

Containing an area of 335 square feet of land, more or less.

This description was prepared by TriLand Design Group, Inc., April 20, 2001.

EXHIBIT A
A PORTION OF LAND SITUATED IN THE
NORTHEAST ONE QUARTER OF SECTION 10,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF TIGARD, WASHINGTON COUNTY, OREGON

PREPARED BY: TRILAND DESIGN GROUP, INC. APRIL 25, 2001

10260 S.W. Nimbus Ave.
Suite M-4
Tigard, Oregon 97223
(503) 968-6589
FAX (503) 968-7439

PREPARED FOR: CITY OF TIGARD

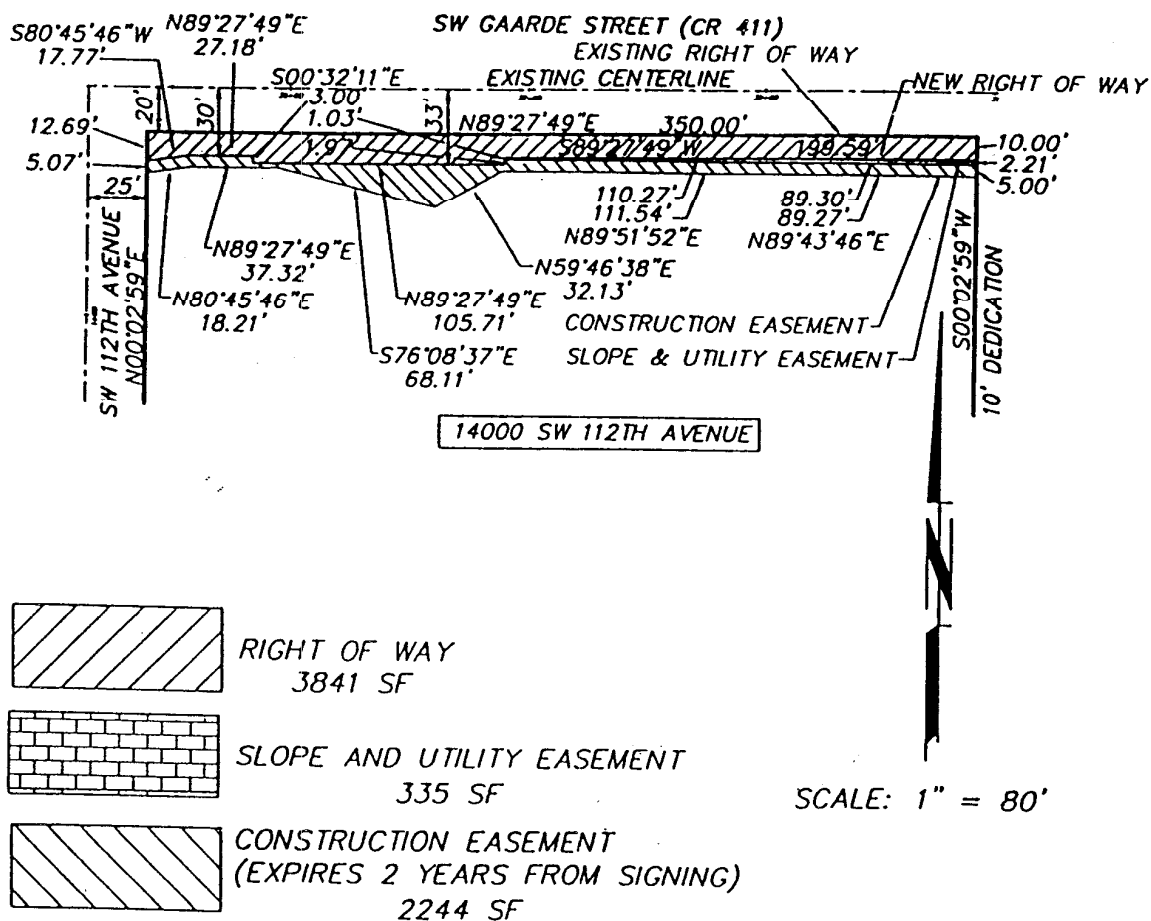


EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands described to John D. Anderson and Suzanne M. Kent, recorded in Fee No 97066810, Washington County Deed Records, being a part of Parcels 1 and 3 described in Fee No. 86007148, Washington County Deed Records; being in the southwest quarter of Section 3, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the southeast corner of said Fee No 97066810, also being the southeast corner of said Parcel 3, being in the west right-of-way line of SW 121st Avenue (20 feet from existing center line); thence along the south line of Fee No 97066810, South 89° 10' 44" West a distance of 13.00 feet; thence North 00° 39' 35" East a distance of 191.53 feet to the north line of said Fee No 97066810, also being in the north line of said Parcel 1; thence along said north line, North 89° 10' 44" East a distance of 13.00 feet to said west right-of-way line of SW 121st Avenue; thence along said west right-of-way line, South 00° 39' 35" West a distance of 191.53 feet to the **Point of Beginning**.

Containing an area of 2,490 square feet of land, more or less.

This description was prepared by TriLand Design Group, Inc., April 20, 2001.

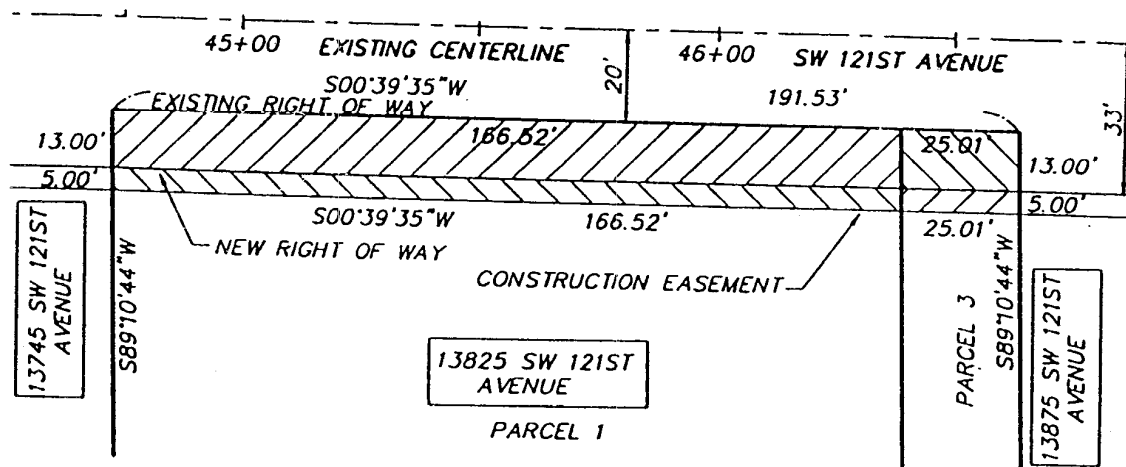
EXHIBIT A
A PARCEL OF LAND
SITUATED IN THE SOUTHWEST ONE QUARTER OF SECTION 3,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF TIGARD, WASHINGTON COUNTY, OREGON

APRIL 20, 2001

PREPARED BY: TRILAND DESIGN GROUP, INC.

10260 S.W. Nimbus Ave.
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FAX (503) 968-7439

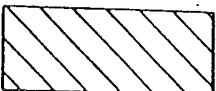
PREPARED FOR: CITY OF TIGARD



SCALE: 1" = 40'



RIGHT OF WAY
2490 SF



CONSTRUCTION EASEMENT
(EXPIRES 2 YEARS FROM SIGNING)
958 SF

EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands of James M. Poling and Carole J. Poling described in deed recorded in Fee No. 94060750, Washington County Deed Records, being a part of Lot 20 of "Colonial View" a duly recorded subdivision in Book 18 Page 14, Washington County Plat Records; being in the southwest quarter of Section 3, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the intersection of the north right-of-way line of SW Gaarde Street (25 feet from existing center line) and the east right-of-way line of SW 121st Avenue (25 feet from existing center line); thence along said east right-of-way line, North 00° 39' 35" East a distance of 130.00 feet to the west line of said Fee No. 94060750; thence along said west line North 89° 10' 00" East a distance of 2.00 feet; thence South 00° 39' 35" West a distance of 86.63 feet; thence South 20° 42' 56" East a distance of 17.41 feet to a tangent curve concave northeasterly; thence along said curve (radius = 25.00; central angle = 28° 37' 00"); chord bearing and distance = South 45° 06' 49" East, 14.83 feet) an arc length of 14.98 feet; thence South 69° 30' 17" East a distance of 14.84 feet; thence North 89° 10' 00" East a distance of 78.26 feet; thence South 86° 46' 55" East a distance of 3.42 feet to the east line of said Fee No. 94060750; thence along said east line, South 00° 50' 00" East a distance of 10.76 feet to said existing north right-of-way line of SW Gaarde Street; thence along said north right-of-way line, South 89° 10' 00" West a distance of 114.76 feet to the Point of Beginning.

Containing an area of 1,796 square feet of land, more or less.

SLOPE AND UTILITY EASEMENT

A tract of land for slope and utility easement across those certain lands of James M. Poling and Carole J. Poling described in deed recorded in Fee No. 94060750, Washington County Deed Records, being a part of Lot 11 of "Colonial View" a duly recorded subdivision in Book 18 Page 14, Washington County Plat Records; being in the southwest quarter of Section 3, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Commencing at the southwest corner of said Fee No. 94060750, being in the north right-of-way line of SW Gaarde Street (25 feet from existing center line); thence along the west line of said Fee No. 94060750, North 00° 50' 00" West a distance of 10.76 feet to the Point of Beginning of the herein described easement; thence North 86° 46' 55" West a distance of 2.77 feet; thence North 00° 50' 00" West a distance of 7.04 feet; thence North 89° 10' 00" East a distance of 2.86 feet to said west line of Fee No. 94060750; thence along said west line South 00° 50' 00" East a distance of 7.24 feet to the Point of Beginning.

Containing an area of 20 square feet of land, more or less.

This description was prepared by TriLand Design Group, Inc., April 25, 2001.

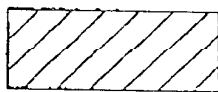
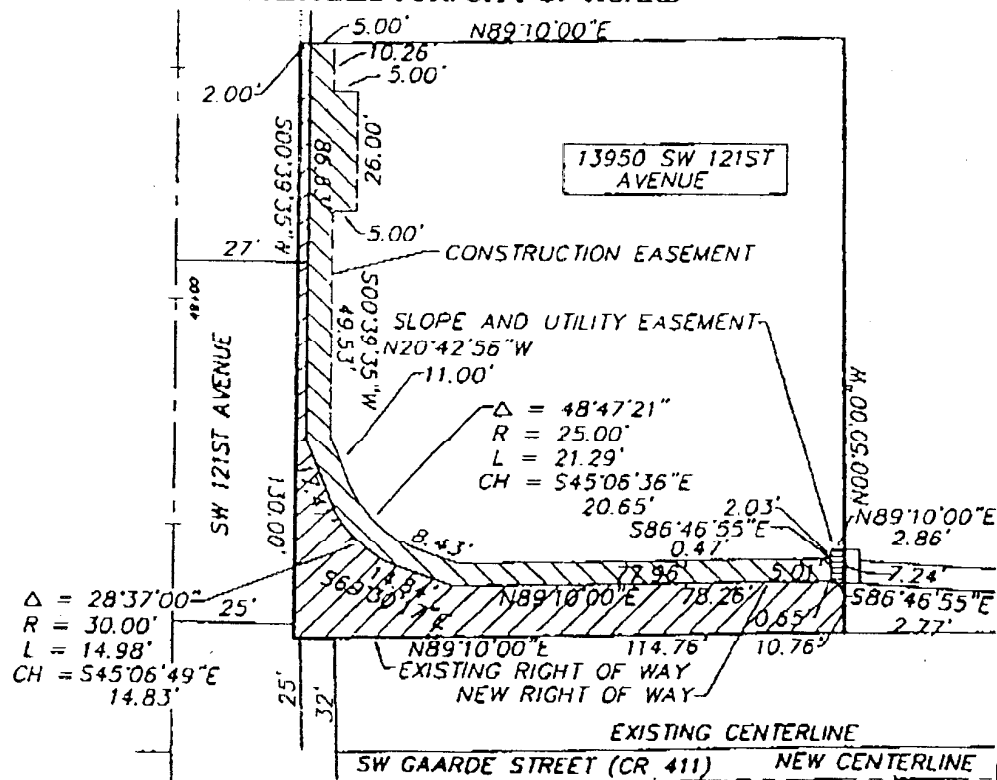
EXHIBIT A
 LOT 20
 "COLONIAL VIEW"
 SITUATED IN THE SOUTHWEST ONE QUARTER OF SECTION 3,
 TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
 CITY OF TIGARD, WASHINGTON COUNTY, OREGON

PREPARED BY: TRILAND DESIGN GROUP, INC.

APRIL 25, 2001

10260 S.W. Nimbus Ave.
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 Tigard, Oregon 97223
 (503) 968-6589
 FAX (503) 968-7439

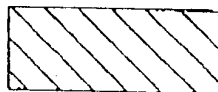
PREPARED FOR: CITY OF TIGARD



RIGHT OF WAY
 1796 SF



SLOPE & UTILITY EASEMENT
 20 SF



CONSTRUCTION EASEMENT
 (EXPIRES 2 YEARS FROM SIGNING)
 1182 SF

SCALE: 1" = 40'

EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands described in deed to John William Setniker recorded in Fee No. 97122142, Washington County Deed Records; being in the northwest quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the northeast corner of said Fee No. 97122142 being on the south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the east line of said Fee No. 97122142, South 00° 02' 55" East a distance of 17.00 feet; thence South 89° 10' 00" West a distance of 317.50 feet to the west line of said Fee No. 97122142; thence along said west line North 00° 02' 55" West a distance of 17.00 feet to said south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along said south right-of-way line North 89° 10' 00" East a distance of 317.50 feet to the **Point of Beginning**.

Containing an area of 5,398 square feet of land, more or less.

UTILITY EASEMENT

A tract of land for slope and utility easement across those certain lands described in deed to John William Setniker recorded in Fee No. 97122142, Washington County Deed Records; being in the northwest quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Commencing at the northeast corner of said Fee No. 97122142 being on the south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the east line of said Fee No. 97122142, South 00° 02' 55" East a distance of 17.00 feet to the **Point of Beginning** of the herein described easement; thence continuing along said east line, South 00° 02' 55" East a distance of 8.18 feet; thence South 89° 10' 00" West a distance of 15.93 feet; thence North 00° 02' 55" West a distance of 8.18 feet; thence North 89° 10' 00" East a distance of 15.93 feet to the **Point of Beginning**.

Containing an area of 130 square feet of land, more or less.

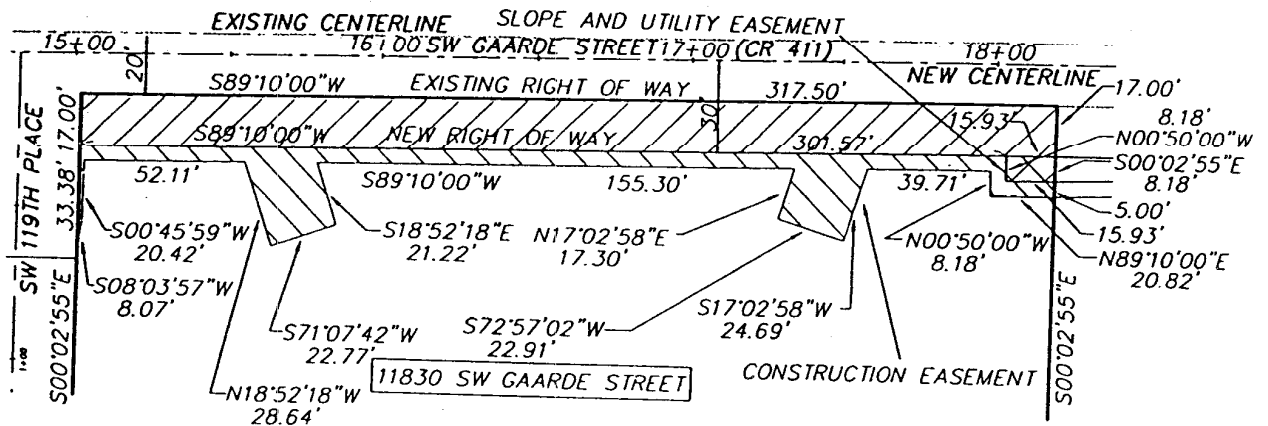
EXHIBIT A

A PORTION OF LAND SITUATED IN THE
NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF
SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF TIGARD, WASHINGTON COUNTY, OREGON

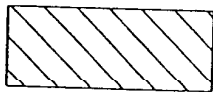
PREPARED BY: TRILAND DESIGN GROUP, INC.

10260 S.W. Nimbus Ave.
Suite M-4
Tigard, Oregon 97223
(503) 968-6589
FAX (503) 968-7439

PREPARED FOR: CITY OF TIGARD



RIGHT OF WAY
5398 SF



CONSTRUCTION EASEMENT
2708 SF



SLOPE AND UTILITY EASEMENT
130 SF



SCALE: 1" = 60'

EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands described in deed to Robert W. Young and Hazel G. Young recorded in Fee No. 99051441, Washington County Deed Records; being in the northwest quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the northwest corner of said Fee No. 99051441, being in the south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along said south right-of-way line North 89° 10' 00" East a distance of 103.50 feet to the west right-of-way line of SW 117th Place (50 feet wide); thence along said west right-of-way line South 00° 05' 00" East a distance of 31.19 feet to a non-tangent curve concave southwesterly; thence along said curve (radius = 15.00; central angle = 53° 18' 09"; chord bearing and distance = North 46° 11' 17" West, 13.46 feet) an arc length of 13.95 feet; thence North 81° 58' 57" West a distance of 17.77 feet; thence South 89° 10' 00" West a distance of 76.21 feet to the west line of said Fee No. 99051441; thence along said west line North 00° 05' 00" West a distance of 19.00 feet to the **Point of Beginning**.

Containing an area of 2,048 square feet of land, more or less.

SLOPE AND UTILITY EASEMENT

A tract of land for slope and utility easement across those certain lands described in deed to Robert W. Young and Hazel G. Young recorded in Fee No. 99051441, Washington County Deed Records; being in the northwest quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Commencing at the northwest corner of said Fee No. 99051441, being in the south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the west line of said Fee No. 99051441, South 00° 05' 00" East a distance of 19.00 feet to the **Point of Beginning** of the herein described easement; thence North 89° 10' 00" East a distance of 76.21 feet; thence South 81° 58' 57" East a distance of 17.77 feet to a tangent curve concave southwesterly; thence along said curve (radius = 15.00; central angle = 53° 18' 09"; chord bearing and distance = South 46° 11' 17" East, 13.46 feet) an arc length of 13.95 feet to the west right-of-way line of SW 117th Place (50 feet wide); thence along said west right-of-way line, South 00° 05' 00" East a distance of 14.53 feet; thence South 90° 00' 00" West a distance of 1.38 feet; thence North 14° 38' 16" West a distance of 13.29 feet; thence North 43° 20' 06" West a distance of 8.30 feet; thence North 81° 58' 57" West a distance of 17.38 feet; thence South 89° 10' 00" West a distance of 54.79 feet; thence South 84° 06' 30" West a distance of 21.21 feet to said west line of said Fee No. 99051441; thence along the west line, North 00° 05' 00" West a distance of 6.83 feet to the **Point of Beginning**

Containing an area of 592 square feet of land, more or less.

EXHIBIT A

A PORTION OF LAND SITUATED IN THE
NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF
SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF TIGARD, WASHINGTON COUNTY, OREGON

PREPARED BY: TRILAND DESIGN GROUP, INC.

10260 S.W. Nimbus Ave.

Suite M-4

Tigard, Oregon 97223

(503) 968-6589

FAX (503) 968-7439

PREPARED FOR: CITY OF TIGARD

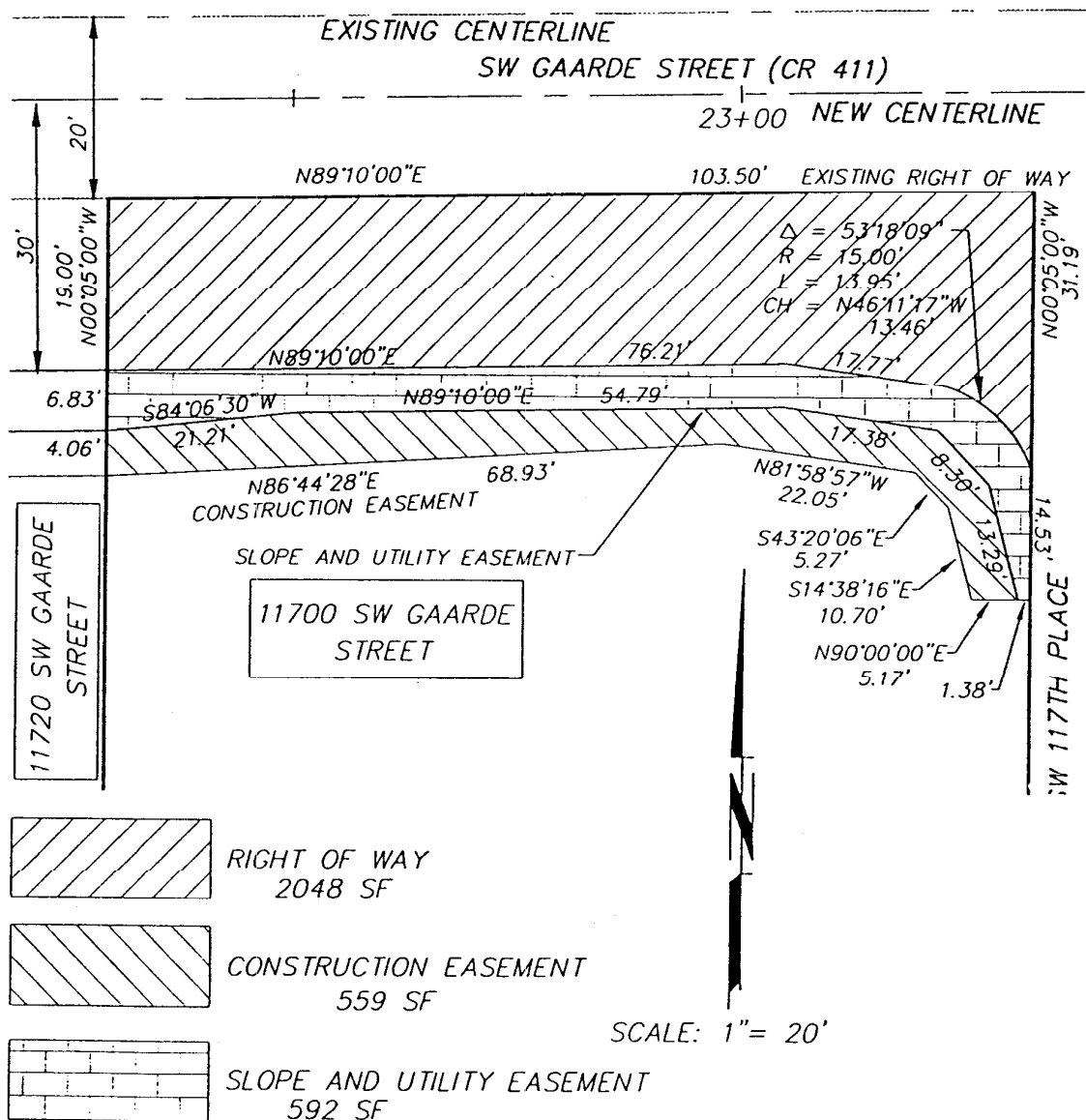


EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands of Gary D. Linn and Elaine J. Linn described in deed recorded in Fee No. 93013014, Washington County Deed Records; being in the southwest quarter of Section 3, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the southwest corner of said Fee No. 95078931, being at the intersection of the north right-of-way line of SW Gaarde Street (20 feet from existing center line) and the east right-of-way line of SW 118th Court (25 feet from center line); thence along said east right-of-way line, North 00° 47' 40" East a distance of 25.49 feet; thence South 15° 55' 58" East a distance 10.20 feet to a tangent curve concave northeasterly; thence along said curve (radius = 15.00 feet; central angle = 54° 45' 39"; chord bearing and distance = South 45° 08' 18" East, 13.80 feet) an arc length of 14.34 feet; thence South 81° 53' 42" East a distance of 17.76 feet; thence North 89° 10' 00" East a distance of 59.96 feet to the east line of said Fee No. 95078931; thence along said east line South 00° 47' 00" West a distance of 3.00 feet to said north right-of-way line of SW Gaarde Street; thence along said north right-of-way line, South 89° 27' 49" West a distance 90.00 feet to the Point of Beginning.

Containing an area of 407 square feet of land, more or less.

SLOPE AND UTILITY EASEMENT

A tract of land for slope and utility easement across those certain lands described in deed to Gary D. Linn and Elaine J. Linn described in deed recorded in Fee No. 93013014, Washington County Deed Records; being in the northeast quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said easement being described by metes and bounds as follows:

Commencing at the southeast corner of said Fee No. 95078931, being in the north right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the east line of said Fee No. 95078931, North 00° 47' 00" East a distance of 3.00 feet to the Point of Beginning of the herein described easement; thence South 89° 10' 00" West a distance of 36.11 feet; thence North 84° 25' 28" East a distance of 36.88 feet to said east line of said Fee No. 95078931; thence along said east line, South 00° 47' 00" West a distance of 3.00 feet to the Point of Beginning.

Containing an area of 53 square feet of land, more or less.

This description was prepared by TriLand Design Group, Inc., April 25, 2001.

EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands described in deed to Neil E. Shuey and Donna M. Shuey recorded in Fee No. 97034181, Washington County Deed Records; being in the northwest quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the northeast corner of said Fee No. 97034181, being in the south right-of-way line of SW Gaarde Street (25 feet from existing center line); thence along the east line of said Fee No. 97034181, South $00^{\circ} 07' 41''$ East a distance of 13.63 feet to a non-tangent curve concave north; thence along said curve (radius = 1530.00 feet; central angle = $01^{\circ} 15' 48''$; chord bearing and distance = South $88^{\circ} 49' 55''$ West, 33.74 feet) an arc length of 33.74 feet; thence South $89^{\circ} 27' 49''$ West a distance of 50.77 feet to the west line of said Fee No. 97034181; thence along said west line, North $00^{\circ} 07' 41''$ West a distance of 14.00 feet to the existing south right-of-way line of SW Gaarde Street (25 feet from existing center line); thence along said existing south right-of-way line, North $89^{\circ} 27' 49''$ East a distance of 84.50 feet to the **Point of Beginning**.

Containing an area of 1,179 square feet of land, more or less.

EXHIBIT A
A PORTION OF LAND SITUATED IN THE
NORTHEAST ONE QUARTER OF SECTION 10,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF TIGARD, WASHINGTON COUNTY, OREGON
PREPARED BY: TRILAND DESIGN GROUP, INC.

APRIL 25, 2001

10260 S.W. Nimbus Ave.
Suite M-4
Tigard, Oregon 97223
(503) 968-6589
FAX (503) 968-7439

PREPARED FOR: CITY OF TIGARD

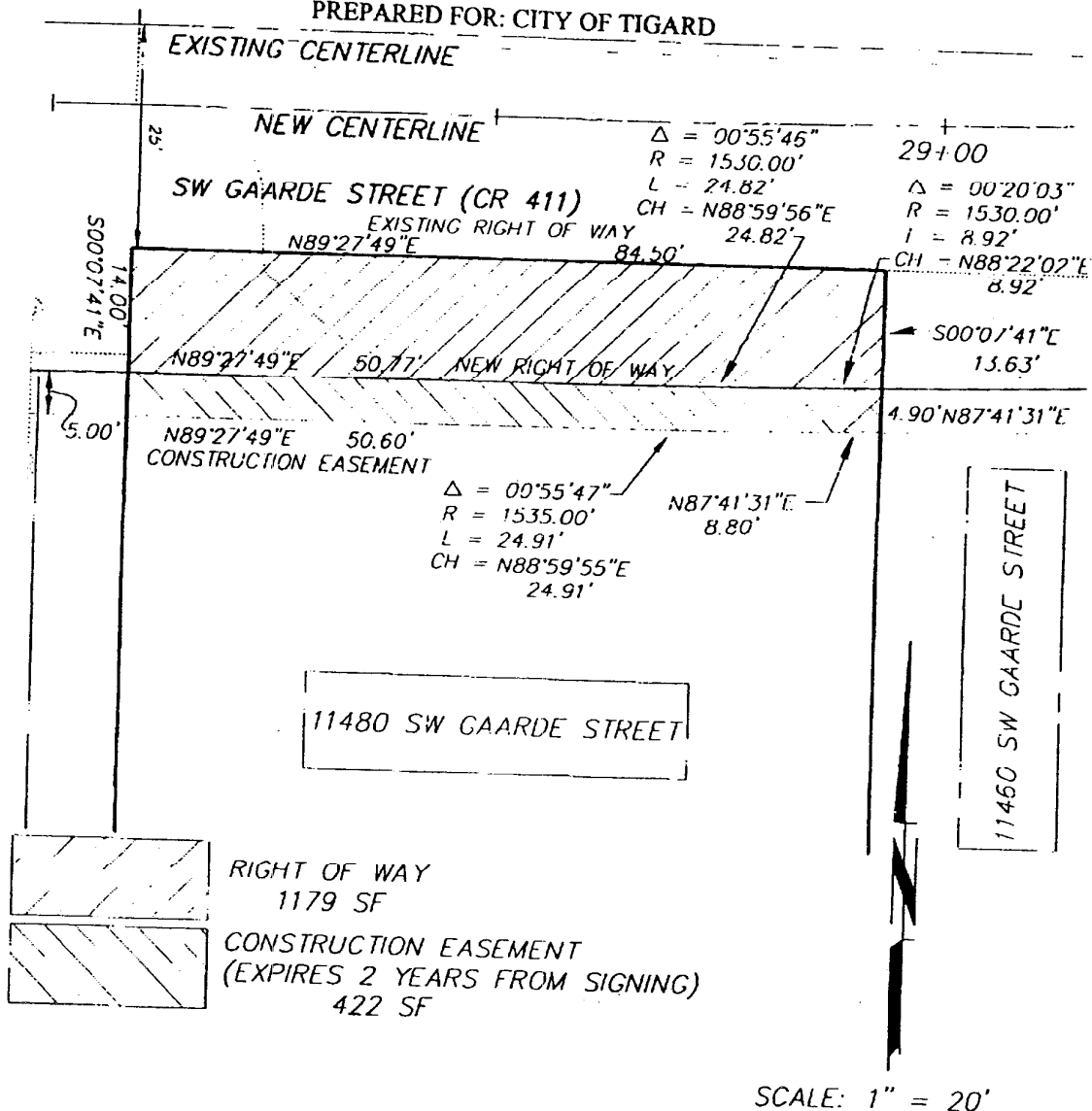


EXHIBIT A

RIGHT-OF-WAY DEDICATION

A tract of land for right-of-way dedication across those certain lands described in deed to Marian G. and Carl W. Landstrom recorded in Fee No. 83025474, Washington County Deed Records; being in the northwest quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Beginning at the northeast corner of said Fee No. 83025474, being on the south right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the east line of said Fee No. 83025474, South 00° 23' 00" East a distance of 20.00 feet; thence parallel with and 20 feet south (measured perpendicularly) of said existing right-of-way line, South 89° 10' 00" West a distance of 38.00 feet; thence North 00° 50' 00" West a distance of 3.00 feet; thence parallel with and 17 feet south (measured perpendicularly) of said existing right-of-way line, South 89° 10' 00" West a distance of 97.00 feet to the west line of said Fee No. 83025474; thence along said west line North 00° 23' 00" West a distance of 17.00 feet to the existing south right-of-way line of SW Gaarde Street (20 feet from center line); thence along said existing right-of-way line of SW Gaarde Street, North 89° 10' 00" East a distance of 135.00 feet to the **Point of Beginning**.

Containing an area of 2,409 square feet of land, more or less.

UTILITY EASEMENT

A tract of land for a utility easement across those certain lands described in deed to Marian G. and Carl W. Landstrom recorded in Fee No. 83025474, Washington County Deed Records; being in the northwest quarter of Section 10, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County Oregon. Said tract being described by metes and bounds as follows:

Commencing at the northeast corner of said Fee No. 83025474, being a point on the existing southerly right-of-way line of SW Gaarde Street (20 feet from existing center line); thence along the east line of said Fee No. 83025474, South 00° 23' 00" East a distance of 20.00 feet; thence parallel with and 20 feet south (measured perpendicularly) of said existing right-of-way line, South 89° 10' 00" West a distance of 7.35 feet to the **Point of Beginning** of the herein described easement; thence South 00° 50' 00" East a distance of 7.00 feet; thence parallel with and 27 feet south (measured perpendicularly) of said existing right-of-way line, South 89° 10' 00" West a distance of 6.00 feet; thence North 00° 50' 00" West a distance of 7.00 feet; thence parallel with and 20 feet south (measured perpendicularly) of said existing right-of-way line, North 89° 10' 00" East a distance of 6.00 feet to the **Point of Beginning**.

Containing an area of 42 square feet of land, more or less.

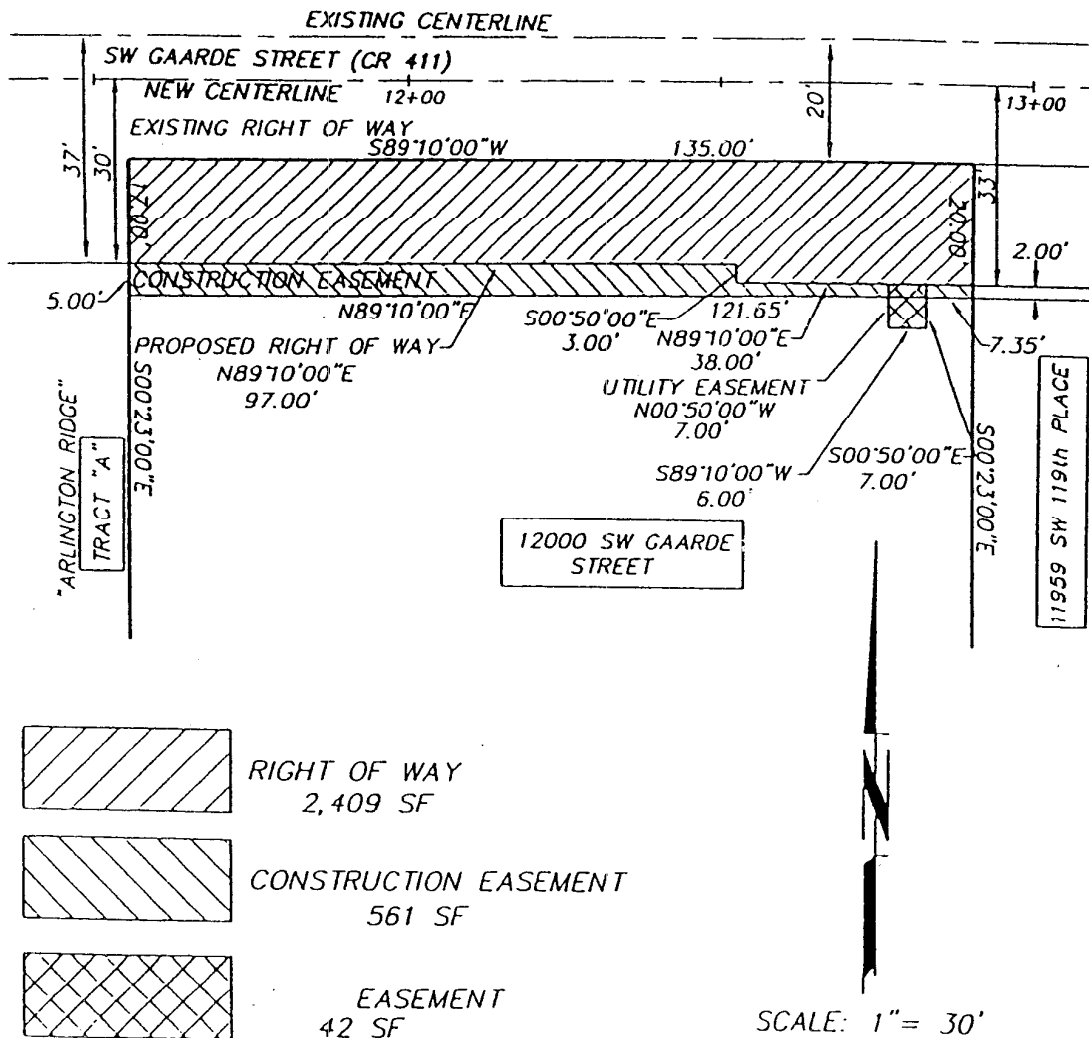
EXHIBIT A

A PORTION OF LAND SITUATED IN THE
NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF
SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF TIGARD, WASHINGTON COUNTY, OREGON

PREPARED BY: TRILAND DESIGN GROUP, INC.

10260 S.W. Nimbus Ave.
Suite M-4
Tigard, Oregon 97223
(503) 968-6589
FAX (503) 968-7439

PREPARED FOR: CITY OF TIGARD



AGENDA ITEM # _____
FOR AGENDA OF November 27, 2001

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on Bull Mountain Annexation Study

PREPARED BY: Barbara Shields DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Review the draft study and provide staff with any comments/suggestions.

STAFF RECOMMENDATION

N/A. Review only.

INFORMATION SUMMARY

At the March 20, 2001 City Council work session, Council directed staff to review the possibilities of annexing the Bull Mountain area. Following the Council directive, staff prepared a study, which would be used to evaluate a range of policy recommendations related to the Bull Mountain area. Staff will provide Council a draft copy of "The Bull Mountain Annexation Study" and a draft copy of "The Bull Mountain Annexation Frequently Asked Questions" that will be briefly discussed at the November 13, 2001 study session meeting. Council will have an opportunity to review the materials and provide staff with comments and questions at the November 20, 2001 work session meeting. Staff will then come back to the Council meeting on November 27, 2001 with a final report, which will include Council's comments and suggestions. This document will serve as the basis for the public outreach component in December 2001.

OTHER ALTERNATIVES CONSIDERED

Not applicable.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management Goal #2, Urban services are provided to all citizens within Tigard's urban growth boundary and recipients of services pay their share.

ATTACHMENT LIST

None.

FISCAL NOTES

N/A

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AGENDA ITEM # _____
FOR AGENDA OF 11/27/01

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE TMC - 10.28.030 - Parking - Truck, trailer, bus, camper, motorhome, recreational vehicle, and boat restrictions

PREPARED BY: Ronald D. Goodpaster DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should TMC 10.28.030 be amended to eliminate the language “house trailer,” and refer to definitions in the ORS rather than referring to definitions in the TMC which then refers to ORS.

STAFF RECOMMENDATION

Staff recommends that the change to the ordinance be approved.

INFORMATION SUMMARY

Currently the TMC refers to “a house trailer.” There is no such definition in the ORS. Also TMC 10.28.030 refers to the definitions listed in TMC 10.28.010 (c), which in turn refers to ORS 801.560. This double referral needs to be eliminated so the TMC refers directly to ORS.

OTHER ALTERNATIVES CONSIDERED

No other alternatives considered.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Not related.

ATTACHMENTS

Ordinance amending Section TMC 10.28.030
Current TMC 10.28.030

FISCAL NOTES

There are no additional costs attached to this change.

CITY OF TIGARD, OREGON

ORDINANCE NO. 01-

AN ORDINANCE AMENDING SECTION 10.28.030 OF THE TIGARD MUNICIPAL CODE CHANGING REFERENCE TO ORS AND ELIMINATING THE TERM "HOUSE TRAILER"

WHEREAS, Sub section 10.28.030 of TMC currently refers to section 10.28.010 (c) for definitions of types of vehicles restricted; and

WHEREAS, the definitions further refer to ORS 801.565, and

WHEREAS, subsection 10.28.030 (a) and (b) refer to "house trailer" for which there is no definition in the TMC or ORS; and

WHEREAS, subsection 10.28.030 (a) and (b) should be changed to delete "house trailer" and delete the reference to subsection 10.28.010 (c) and add the wording "ORS 801.560."

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The subsection 10.28.030 (a) of TMC is changed to eliminate the term "house trailer" and the reference to 10.28.10 (c) subsection 8; and add "ORS 801.560."

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2001.

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2001.

James E. Griffith, Mayor

Approved as to form:

City Attorney

Date

TIGARD MUNICIPAL CODE

Chapter 10.28. PARKING.

- 10.28.010 Definitions.
- 10.28.020 Repealed by Ord. 93-21.
- 10.28.022 Purposes for which parking is prohibited.
- 10.28.025 Vehicle sales on private property.
- 10.28.030 Truck, trailer, bus, camper, motor home, recreational vehicle, and boat restrictions.
- 10.28.040 Removal of parked vehicle from fire area.
- 10.28.050 Required precautions.
- 10.28.060 Parallel parking requirements.
- 10.28.070 Space markings.
- 10.28.080 S.W. Main Street between S.W. Burnham Street and Oregon Electric Railroad right-of-way.
- 10.28.090 Two-hour time limit.
- 10.28.095 Twelve Hour Limit
- 10.28.110 Fifteen-minute time limit.
- 10.28.120 Sunday restrictions.
- 10.28.125 Specified period restrictions.
- 10.28.130 Prohibited at any time.
- 10.28.135 Parking prohibited eight a.m. to six p.m.
- 10.28.136 Loading zones--Authority to establish.
- 10.28.137 Loading zones--Designated.
- 10.28.138 Construction zones and temporary loading zones.
- 10.28.140 Violation--Mode of charging defendant.
- 10.28.150 Violation--Penalty.
- 10.28.160 Authority to impound improperly parked vehicles.
- 10.28.170 Parking prohibited in specified places.
- 10.28.175 Residential parking zones.
- 10.28.180 Definitions for Sections 10.28.190 through 10.28.210.
- 10.28.190 Application of parking regulations to disabled persons.

10.28.200 Parking in space reserved for disabled persons prohibited--Exceptions.

10.28.210 Removal and impoundment of vehicle unlawfully parked in space reserved for disabled persons.

10.28.010 Definitions.

(a) "Parking" or "parked," for purposes of the city motor vehicle code, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers, or in obedience to traffic regulations or traffic signs or signals.

(b) It is unlawful for any person to park or stop any vehicle for a longer period of time than that designated by official signs, parking meters or other markings placed by or under authority of the city. "Parking time limit" includes the aggregate of time of all stopping or standing of the same vehicle on the same side of the street within a space of three hundred lineal feet measured along the curblin and between intersections; and the parking, standing or stopping of any vehicle within such expanse shall not exceed the designated time limit during any three-hour period.

(c) For purposes of this chapter, the definitions of the following terms as used herein shall conform to the following ORS sections which by reference herein are made a part of this chapter:

(1) "Camper" is defined as set forth in ORS Section 801.180.

(2) "Highway" or "street" is defined as set forth in ORS Section 801.305.

TIGARD MUNICIPAL CODE

(3) "Mobile home" is defined as set forth in ORS 801.340.

(4) "Motorbus" is defined as a Commercial Bus as set forth in ORS 801.200.

(5) "Motor home" is defined as set forth in ORS Section 801.350.

(6) "Motor truck" is defined as set forth in ORS Section 801.355.

(7) "Recreational vehicle" is defined as set forth in ORS 446.003.

(8) "Trailer" is defined as set forth in ORS Section 801.560.

(9) "Travel trailer" is defined as set forth in ORS Section 801.565

(10) "Truck tractor" is defined as set forth in ORS Section 801.575. (Ord. 99-28, Ord. 93-21 §1, 1993; Ord. 70-41 Ch. 7, §1, 1970).

10.28.020 Repealed by Ord. 93-21.

10.28.022 Purposes for which parking is prohibited.

No person shall park a vehicle on the right-of-way of any highway, or upon any public street or public way within the city limits for any of the following purposes:

- (1) Selling or offering merchandise for sale;
- (2) Washing, greasing or repairing such vehicle except as may be necessitated by emergency;
- (3) Storage, for any period of more than twenty-four hours, except that this subsection shall be subject to the limits elsewhere prescribed in the city motor vehicle code or as may be

prescribed by the Oregon State Motor Vehicle Code. It shall constitute prima facie evidence of storage of a vehicle if the same is not moved for a period of twenty-four (24) hours. The continuity of the time shall not be deemed broken by movement of the vehicle elsewhere on the block unless the movement removes the vehicle from the block where it was located before it is returned. Any vehicle mentioned in this subsection parked on the right-of-way of any highway, or upon any public street or public way within the city in violation of this subsection may be treated as an abandoned vehicle and the provisions of Chapter 7.60 shall apply. (Ord. 93-21 §3, 1993)

10.28.025 Vehicle sales on private property.

(a) No property owner, unless in compliance with the provisions of Chapter 5.04, Business Taxes, and in further compliance with all applicable zoning codes, shall allow more than one vehicle to be displayed for sale on his or her property.

(b) Violation of this section shall be a Class 1 infraction and shall be subject to the provisions of the civil infractions ordinance, Chapter 1.16 of this code. (Ord. 87-40 §1, 1987).

10.28.030 Truck, trailer, bus, camper, motor home, recreational vehicle, and boat restrictions.

(a) No person shall at any time park or leave standing a ~~house-trailer,~~ motor bus, motor truck, truck tractor, motor home, boat, vehicle with camper, recreational vehicle, or trailer, as defined in ~~Section 10.28.010(e)~~ ORS 801.560, whether attended or unattended, on any improved public highway, public street or other public way within the city limits, for a period greater than thirty (30) minutes, between the hours of one minute past twelve a.m. and six a.m.

TIGARD MUNICIPAL CODE

(b) A recreational vehicle, ~~house-trailer~~, or motor home may be parked on a public street longer than the period allowed in Section 10.28.030(a) if:

(1) It is owned by the resident or guest of the resident of the property in front of which it is parked,

(2) It is parked on the public street adjacent to the lot of the resident, and

(3) It is parked on the public street no longer than ten (10) days in any calendar year.

(c) Such vehicle must be parked in a manner which does not interfere with traffic or create a hazard by obstructing the view of drivers.

(d) Tractor Trailer, Truck Trailer. No person shall at any time park a tractor trailer or truck trailer as described in Section 10.28.010(c) unattended on any improved public highway, public street or other public way within the city limits. (Ord. 93-21 §4, 1993; Ord. 81-86 §1, 1981; Ord. 81-84 §1, 1981; Ord. 79-109 §1, 1979; Ord. 76-57 §1, 1976; Ord. 76-30 §1, 1976; Ord. 70-41 Ch. 7 §3, 1970).

10.28.040 Removal of parked vehicle from fire area.

Whenever the owner or driver of a vehicle discovers that such vehicle is parked immediately in front of or close to a building to which the fire department has been summoned, he shall immediately remove such vehicle from the area unless otherwise directed by police or fire officers. (Ord. 70-41 Ch. 7 §4, 1970).

10.28.050 Required precautions.

No person having control or charge of a motor vehicle shall allow it to stand on any street unattended without first fully setting its parking

brakes, stopping its motor and removing the ignition key and, when standing upon any precipitous grade, the front wheels of the vehicle shall be angled into the curb. (Ord. 70-41 Ch. 7 §5, 1970).

10.28.060 Parallel parking requirements.

No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within eighteen inches of the edge of the curb, except where the street is marked or signed for angle parking. (Ord. 70-41 Ch. 7 §6, 1970).

10.28.070 Space markings.

Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space. (Ord. 70-41 Ch. 7 §7, 1970).

10.28.080 S.W. Main Street between S.W. Burnham Street and Oregon Electric Railroad right-of-way.

All parking of motor vehicles on that portion of S.W. Main Street between the intersection thereof with S.W. Burnham Street and the Oregon Electric Railroad right-of-way shall be parallel with the centerline of S.W. Main Street, and all diagonal or head-in parking is prohibited. (Ord. 70-41 Ch. 7 §8, 1970).

10.28.090 Two-hour time limit.

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, continuously in excess of two hours, except on Sundays and holidays, on the following public streets and highways, or portions thereof, during the hours herein specifically designated:

TIGARD MUNICIPAL CODE

(1) BETWEEN EIGHT A.M. AND FIVE P.M.:

(A) In that portion of the southwest half of the right-of-way of S.W. Tigard Street extending from the southeast right-of-way line of S.W. Pacific Highway (99W Overpass) to the northwest right-of-way line of S.W. Main Street;

(B) In that portion of the southwest half of S.W. Commercial Street extending from a point which lies forty-five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point one hundred thirty-nine feet southeasterly therefrom; and

(C) In that portion of the southwest half of S.W. Commercial Street extending from a point which lies five hundred thirty five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifteen feet southeasterly therefrom;

(D) In that portion of the northeast half of S.W. Commercial Street extending from a point which lies ninety-five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifty-three feet southeasterly therefrom;

(E) In that portion of the northeast half of S.W. Commercial Street extending from a point which lies four hundred forty-eight feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifty-seven feet southeasterly therefrom;

(F) In that portion of S.W. Walnut Place extending from a point which lies one hundred sixty-five feet southeasterly of the southeast right-of-way line of S.W. Pacific Highway to a point one hundred twenty feet southeasterly therefrom.

(2) BETWEEN NINE A.M. AND SIX

P.M.:

(A) S.W. Main Street;

(B) S.W. Pine Street from S.W. Main Street to S.W. Pacific Highway (99-W) right-of-way;

(C) The northerly half of S.W. Center Street extending northeasterly from the intersection thereof with Greenburg Road to the intersection of S.W. 87th Avenue;

(D) The east side of S.W. 87th Avenue between Pacific Highway and Center Street, except any area designated as a loading zone.

(E) Along the northeast side of SW Burnham Street between Main Street and a point 100 feet from the southeast curb line of Main Street.

(3) ANYTIME:

(A) Within the southwest half of S.W. Walnut Place beginning at a point which lies one hundred seventy-five feet along the curblane from S.W. Pacific Highway, thence extending southeasterly ninety feet therefrom. (Ord. 99-13; Ord. 95-31; Ord. 92-27 §2, 1992; Ord. 87-05 §1, 1987; Ord. 86-45 §1, 1986; Ord. 84-03 §1, 1984; Ord. 82-75 §1, 1982; Ord. 81-87 §1, 1981; Ord. 80-65 §3(part), 1980; Ord. 79-108 §1, 1979; Ord. 79-10 §1, 1979; Ord. 77-36 §1, 1977; Ord. 77-5 §1, 1977; Ord. 76-53 §1, 1976; Ord. 70-41 Ch. 7 §9, 1970).

10.28.095 Twelve Hour Limit

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, continuously in excess of twelve hours, except when a portion of that twelve-hour period occurs on a Saturday, Sunday or holiday, on the following public streets and highways:

TIGARD MUNICIPAL CODE

(1) On SW 76th Avenue between Bonita Road and a point 500 feet south of the centerline of Bonita Road. (Ord. 94-15).

10.28.110 Fifteen-minute time limit.

(1) No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, for a period of longer than fifteen minutes between the hours of nine a.m. and six p.m., except Sundays and holidays, in any area designated as a fifteen-minute parking zone.

(2) The City Engineer shall establish fifteen-minute parking zones to include no more than twenty parking spaces on SW Main Street. In selecting the locations for the fifteen-minute parking zones, the City Engineer shall consult with the owners of businesses along Main Street. The fifteen-minute time limit shall become effective upon installation of appropriate signing designating the parking spaces where the time limit applies. (Ord. 95-30; Ord. 86-59 §1, 1986; Ord. 71-33 §1 1971; Ord. 70-41 Ch. 7 §§10 12, 12A, 1970).

10.28.120 Sunday restrictions.

No person shall park a motor vehicle of any kind or character between the hours of six a.m. and twelve noon, on Sundays, according to Pacific Standard Time or Pacific Daylight Time as may be then in effect, on the following defined portions of public streets in the city:

(1) The westerly side of S.W. Grant Street extending from the intersection thereof with S.W. Johnson Street to the intersection thereof with S.W. Walnut Avenue;

(2) The southerly side of S.W. McKenzie Street extending from the intersection thereof with S.W. Grant Street to the intersection thereof with S.W. Pacific Highway (99-W). (Ord. 70-41 Ch. 7

§13, 1970).

10.28.125 Specified period restrictions.

No person shall park a motor vehicle of any kind or character between the hours specified on the following defined portions of public streets in the city:

(1) Between the hours of eight a.m. and six p.m. within the right-of-way of S.W. Villa Ridge Road extending from the point of intersection of the centerline of S.W. 72nd Avenue with the centerline of S.W. Villa Ridge Road northeasterly to the junction thereof with S.W. Pacific Highway (99-W);

(2) Between the hours of eight a.m. and five p.m. within the northwesterly half of the right-of-way of S.W. Grant Avenue from the intersection thereof with S.W. Walnut Street, southwesterly, to the end of the roadway at Charles F. Tigard School grounds;

(3) Between the hours of seven a.m. and six p.m. within the right-of-way of S.W. Garrett Street from the intersection thereof with S.W. Pacific Highway southeasterly four hundred feet, excepting therefrom the southwesterly two hundred fifty feet;

(4) Between the hours of seven a.m. and six p.m., except Saturday and Sunday, within the right-of-way of S.W. Garrett Street between Cresmer Drive and a point four hundred feet southeasterly from Pacific Highway, except along the southwest side of Garrett Street within two hundred forty feet of Cresmer Drive.

(5) Between the hours of eight p.m. and six a.m., no person shall at any time park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, within any portion of the right-of-way of SW Milton Court beginning at the north right-

TIGARD MUNICIPAL CODE

of-way line of Bonita Road and extending northerly the full length of the street up to and including the cul-de-sac at the end of the street. (Ord. 98-23; 90-12 §1, 1990; Ord. 84-68 §1, 1984; Ord. 83-18 §1, 1983; Ord. 74-44 §2, 1974).

10.28.130 Prohibited at any time.

No person shall at any time park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, within the following defined portions of public streets and highways within the city:

(1) Within the improved portion of the right-of-way as bounded by the curb lines, on each side of S.W. Pacific Highway (99-W), extending from the intersection of the centerline of S.W. Bull Mountain Road and the same extended to the southeasterly right-of-way line of S.W. Pacific Highway, northeasterly to the northeasterly city limits, being an extension of the easterly line of that tract of land deeded to Max R. Reed and recorded in Book 611, page 286, Deed Records, Washington County, Oregon; except that there is authorized and designated as a limited parking area, two parking spaces along the northwesterly curb parallel to the southwesterly lanes of travel, for vehicular parking purposes limited to any continuous period of not to exceed fifteen minutes, extending from a point southwest along the curblin twenty feet from a point opposite the most easterly corner of the Charles F. Tigard Schoolhouse site, southwesterly forty feet, the boundaries of said spaces being delineated by painted markings;

(2) Within the following described portions of the right-of-way of S.W. Hall Boulevard:

(A) Repealed by Ord. 80-65.

(B) Within that portion of the right-of-way of S.W. Hall Boulevard, extending from the intersection thereof with the Oregon Electric

Railroad tracks (Southern Pacific) southeasterly to the intersection thereof with the center of Fanno Creek;

(3) Within the east half of the right-of-way of S.W. Hall Boulevard, within four hundred thirty-five feet northerly of the intersection of the east right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pacific Highway (99-W);

(4) Repealed by Ord. 80-65.

(5) Within the west half of the right-of-way of S.W. Hall Boulevard, within seven hundred twenty-four feet northerly of the intersection of the west right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pacific Highway (99-W);

(6) Within the southeast half of S.W. Main Street, extending northeasterly thirty-six feet from the intersection of the curblin thereof with the curblin of S.W. Burnham Street;

(7) Within that portion of the northeasterly half of S.W. Burnham Street lying within fifteen feet of the intersection of the northeasterly line of S.W. Burnham Street with the southeasterly line of S.W. Main Street;

(8) Within the right-of-way of S.W. Commercial Street extending from the westerly right-of-way of S.W. Hall Boulevard on the north side northwesterly one hundred feet, and on the south side northwesterly one hundred seventy feet;

(9) Within the easterly half of the right-of-way of S.W. Electric Street, within one hundred feet northerly of the intersection of the easterly right-of-way line of S.W. Electric Street with the northerly right-of-way line of S.W. Main Street;

(10) Within the north half of the right-of-way

TIGARD MUNICIPAL CODE

of S.W. Pinebrook Street, within one hundred eleven feet westerly of the intersection of the west right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pinebrook Street;

(11) Within the southeasterly half of S.W. Main Street from the intersection thereof with the northeasterly line of S.W. Scoffins Street, northeasterly to the intersection thereof with S.W. Pacific Highway right-of-way;

(12) Within the northwesterly half of that portion of S.W. Main Street from its intersection on the west and thereof with S.W. Pacific Highway, northeasterly two hundred thirty feet;

(13) Within the right-of-way of S.W. Walnut Street, extending from the intersection thereof with S.W. Pacific Highway (99-W) northwesterly approximately one thousand nine hundred twenty-two and forty-four hundredths feet to the city limits as the same exist on September 28, 1971; except that there is authorized and designated as an unrestricted (time) vehicular parking area, along the southwest curb of S.W. Walnut Street, two spaces, parallel with but not within the southeasterly lanes of travel, commencing at a point which lies one hundred ninety-two feet southeasterly of the southeast right-of-way line of forty-foot wide S.W. Grant Avenue and extending, thence southeasterly forty-two feet to a terminus point; the boundaries of said spaces being delineated by painted markings;

(14) Within the curblines on each side of S.W. Sandberg Street, including the cul-de-sac;

(15) On the southeasterly one-half of S.W. Villa Ridge Road within that portion thereof lying southwesterly of and within one hundred fifty feet of the intersection of the southeasterly right-of-way line of S.W. Villa Ridge Road with the centerline of S.W. 72nd Avenue;

(16) On the southwesterly one-half of S.W.

Frewing beginning at a point five hundred feet southeasterly of Pacific Highway and extending thence southeasterly a distance of two hundred feet;

(17) On the southeasterly one-half of Grant Street beginning at the right-of-way line of Walnut Street and extending thence southwesterly to the end of the street at the Charles F. Tigard elementary school grounds;

(18) On the south one-half of Scott Court beginning at the right-of-way line of S.W. 98th Avenue and extending thence westerly two hundred eighty-three feet;

(19) On the northeast one-half of S.W. Commercial Street beginning at the southeast right-of-way line of S.W. Main Street and extending thence southeast ninety-five feet;

(20) On S.W. Hunziker Street extending from the intersection thereof with S.W. Hall Boulevard southeasterly approximately two thousand eight hundred fifty-three feet;

(21) On all that portion of S.W. 69th Avenue lying southerly of S.W. Pacific Highway;

(22) On the northerly one-half of S.W. Walnut Street beginning at the westerly edge of the driveway entrance to Fowler Junior High School and extending westerly to a point four hundred and ninety feet from said driveway;

(23) Within the southwest half of the right-of-way of S.W. Commercial Street, within forty-five feet southeasterly of the southeast right-of-way line of S.W. Main Street;

(24) Within the curblines on each side of S.W. Lomita Street, beginning at a point in the centerline thereof, which point lies two hundred feet east of the east right-of-way line of S.W. 90th Avenue, and running thence easterly and northerly

TIGARD MUNICIPAL CODE

a distance of one hundred sixty feet therealong;

(25) Within the southeasterly half of S.W. Grant Avenue, beginning at the northeast right-of-way line of S.W. Walnut Street and extending northeasterly to the southwest right-of-way line of S.W. Tigard Street;

(26) Within the right-of-way of S.W. Summerfield Drive, extending from the intersection thereof with the north right-of-way line of S.W. Durham Road to the intersection thereof with the west right-of-way line of S.W. Alderbrook Drive;

(27) Within the right-of-way of S.W. 68th Parkway, extending from the intersection thereof with the south right-of-way line of S.W. Irving Street to the intersection thereof with the west right-of-way line of S.W. 66th Avenue;

(28) Within the northwesterly half of the right-of-way of S.W. Main Street, within four hundred ninety-seven feet southwest of the southeast right-of-way line of S.W. Pacific Highway;

(29) Within the southeasterly half of the right-of-way of S.W. Boones Ferry Road, beginning at the intersection of the west right-of-way line of Interstate No. 5 with the southeast right-of-way line of S.W. Boones Ferry Road and extending southwesterly a distance of two hundred seventy feet therefrom;

(30) Within the right-of-way of S.W. Scoffins Street, extending from the intersection thereof with S.W. Main Street, southeasterly to S.W. Hall Boulevard;

(31) Within the right-of-way of S.W. Summerfield Drive, from the intersection thereof with S.W. Durham Road, northerly and easterly to S.W. 98th Avenue;

(32) Along both sides of S.W. 121st Avenue between Scholls Ferry Road and Burlheights Drive;

(33) Within the right-of-way of S.W. Summerfield Drive, extending from the intersection thereof with the north right-of-way line of S.W. Durham Road to the intersection thereof with the west right-of-way line of S.W. 98th Avenue; except that there is authorized and designated an unrestricted (time) vehicular parking area commencing at the west right-of-way line of S.W. Century Oak Drive running westerly a distance of three hundred feet along the south curb of S.W. Summerfield Drive;

(34) In the southeasterly one-half of S.W. Main Street, extending southwesterly one hundred fifteen feet from the intersection of the southwest right-of-way line of S.W. Scoffins Street with the southeast right-of-way line of S.W. Main Street;

(35) Along both sides of SW 72nd Avenue between the Beaverton-Tigard Highway (State Highway 217) and the south city limits;

(36) Within the southwesterly half of the right-of-way of S.W. Tigard Street, commencing at the southeast right-of-way line of S.W. Grant Avenue and extending southeasterly to the southeast right-of-way line of S.W. Pacific Highway (99-W Overpass);

(37) Within the right-of-way of S.W. 112th Avenue, extending southerly from S.W. Gaarde Street to the frontage road along S.W. Pacific Highway;

(38) Within the right-of-way of S.W. Burnham Street, from S.W. Main Street to S.W. Hall Boulevard; excepting that portion within the northeasterly half of S.W. Burnham Street beginning at a point fifteen feet southeasterly of the intersection of the northeasterly line of S.W. Burnham Street with the southeasterly line of

TIGARD MUNICIPAL CODE

S.W. Main Street and extending therefrom southeasterly forty-five feet, said portion of S.W. Burnham Street being designated as a loading zone between the hours of eight a.m. to twelve noon, Sundays and holidays excluded;

(39) Upon or within any delineated bicycle and/or pedestrian path(s) or lanes;

(40) Within the paved portions of SW 72nd Avenue between Pacific Highway and the Beaverton-Tigard Highway (State Highway 217);

(41) Along both sides of S.W. Greenburg Road between Pacific Highway and Shady Lane;

(42) Within the right-of-way of S.W. 110th Avenue, beginning at a point one hundred six feet northerly of the north right-of-way line of S.W. Gaarde Street and extending thence two hundred seventy feet northerly;

(43) On southwest Gaarde Street from Pacific Highway to 112th Avenue, except for that portion of the north half of Gaarde Street beginning at a point eighty feet east of the east curblane of 110th Avenue and extending to a point one hundred ninety feet east of the east curblane of 110th Avenue, measured along the north curblane of Gaarde Street;

(44) Within the northeasterly half of the right-of-way of S.W. Canterbury Lane, extending from the intersection thereof with S.W. Pacific Highway, southeasterly a distance of seventy-five feet therefrom;

(45) Within the right-of-way of S.W. Fir Street, extending from the intersection thereof with S.W. 72nd Avenue, easterly to S.W. Fir Loop;

(46) Within the right-of-way of S.W. Fir Loop, being all that portion thereof lying easterly of S.W. Fir Street;

(47) Within the right-of-way of S.W. Hall Boulevard extending from the intersection thereof with S.W. Pacific Highway (99-W) southerly to a point which lies two hundred feet south of the centerline of S.W. Scoffins Street;

(48) Within the right-of-way of S.W. 70th Avenue, extending from the intersection thereof with S.W. Hampton Street, southerly to the terminus thereof;

(49) Within the northerly half of S.W. Walnut Place; also, within the southwest half of S.W. Walnut Place beginning at S.W. Pacific and, thence, extending a distance of one hundred seventy-five feet southeasterly along the curblane;

(50) Within a portion of the right-of-way of S.W. Hampton Street being all that portion thereof lying between S.W. 72nd Avenue and S.W. 66th Avenue;

(51) Repealed by Ordinance 98-09;

(52) Repealed by Ordinance 98-09;

(53) Within the southeast half of the most southerly end of S.W. Main Street, beginning at the intersection of the southeast curb lanes of S.W. Pacific Highway and S.W. Main Street and extending seventy-five feet along the Main Street curblane to a point; also, therein, beginning at a point on the Main Street curblane which lies two hundred five feet from said intersecting curb lanes and extending thirty feet therealong to a point;

(54) Within the westerly half of the right-of-way of 115th Avenue extending from the intersection with S.W. Gaarde Street northerly to the intersection of S.W. Fonner Street;

(55) Within the northwesterly right-of-way of S.W. McKenzie Street from a point twenty feet southeasterly from the intersection of the centerlines at S.W. McKenzie St., and S.W. Grant

TIGARD MUNICIPAL CODE

St., to a point ninety feet southeasterly of the centerline intersection;

(56) On the northwesterly half of S.W. Ash Avenue beginning at the northeast right-of-way line of S.W. Commercial Street and extending thence northeasterly one hundred thirty-eight feet.

(57) Within the curblines on each side of S.W. Genesis Loop, extending from the most southerly intersection thereof with S.W. 115th Avenue easterly a distance of one hundred sixty-five feet;

(58) Along both sides of S.W. Durham Road between Hall Boulevard and Pacific Highway;

(59) Repealed by Ord. 95-32;

(60) Within the west half of the right-of-way of S.W. 92nd Avenue, beginning at the intersection thereof with the south right-of-way line of S.W. Durham Road; thence, extending southerly one thousand four hundred fifty feet;

(61) Within the right-of-way of S.W. 92nd Avenue, beginning at a point which lies one thousand four hundred fifty feet southerly of the south right-of-way line of S.W. Durham Road; thence, extending southerly one thousand one hundred ninety feet; excepting therefrom the south six hundred eighty feet of the west half thereof;

(62) Along the east side of S.W. 85th Avenue from Durham Road to a point four hundred fifty feet south of the south curbline of Durham Road;

(63) On S.W. Varns Street from S.W. 72nd Avenue to a point one hundred twenty-five feet west of the west curbline of 72nd Avenue;

(64) On S.W. Watkins Avenue from S.W. Pacific Highway to a point seventy-five feet west of the west curbline of Pacific Highway;

(65) Along the north side of S.W. Burnham Street from Hall Boulevard to a point six hundred seventy-five feet west of the west curbline of Hall boulevard, measured along the north curbline of Burnham Street;

(66) On S.W. 69th Avenue from Pacific Highway to a point one hundred fifty feet north of the north curbline of Pacific Highway, measured along the east curbline of 69th Avenue;

(67) Along the south side of S.W. Locust Street between Greenburg Road and 93rd Avenue;

(68) Along the south side of Spruce Street between a point one hundred feet east of the extended centerline of S.W. 72nd Avenue and a point 100 feet west of the extended centerline of S.W. 72nd Avenue;

(69) Along both sides of S.W. 135th Avenue between Scholls Ferry Road and Morning Hill Drive;

(70) Along both sides of S.W. Nimbus Avenue between Scholls Ferry Road and a point two hundred forty feet south of the south curbline of Scholls Ferry Road;

(71) Along both sides of S.W. Bonita Road between Hall Boulevard and S.W. 83rd Court;

(72) Along both sides of S.W. Bonita Road between 83rd Court and Fanno Creek;

(73) Along the east side of S.W. 76th Avenue between Bonita Road and a point one hundred seventy five feet south of the centerline of Bonita Road;

(74) Along the north side of Canterbury Lane between Pacific Highway and S.W. 106th Avenue;

(75) Along the north side of Benchview

TIGARD MUNICIPAL CODE

Terrace between S.W. 132nd Avenue and the west boundary of Benchview Estates subdivision as recorded in Book 66, page 38, of the plat records of Washington County;

(76) Along both sides of S.W. McDonald Street between Hall Boulevard and 93rd Avenue;

(77) Repealed by Ord. 95-17.

(78) Along the west side of S.W. 108th Avenue from Chateau Lane to a point two hundred thirty-three feet south of the centerline of Chateau Lane until such time as 108th Avenue is improved in this location to full minor collector standards. At the time that the street is improved, the effect of the ordinance codified in this subsection (78) shall cease;

(79) Along portions of S.W. Fir Street between S.W. 72nd Avenue and the street terminus west of 74th Avenue, as follows: along the entire south side of the street; along the north side of the street within sixty feet of the west curbline of S.W. 72nd Avenue; and along the north side of the street west of a point which is sixty feet west of the centerline of S.W. 74th Avenue;

(80) Along both sides of S.W. North Dakota Street between S.W. Tiedeman Avenue and S.W. 115th Avenue.

(81) Along both sides of SW Dartmouth Street between SW 68th Parkway and SW Pacific Highway.

(82) Along the west side of SW 108th Avenue between Durham Road and a point 145 feet north of the centerline of Chateau Lane.

(83) Along the west side of SW 109th Avenue beginning at the start of a curve approximately 260 feet south of the south curb line of Canterbury Lane and continuing south a

distance of 285 feet measured along the west curb of SW 109th Avenue.

(84) Along the east side of SW 109th Avenue beginning at the start of a curve approximately 260 feet south of the south curb line of Canterbury Lane and continuing south a distance of 125 feet measured along the east curb of SW 109th Avenue.

(85) Along the south side of Canterbury Lane from Pacific Highway to a point 200 feet east of the east curb line of Pacific Highway;

(86) On both sides of SW Durham Road between SW 72nd Avenue and Upper Boones Ferry Road;

(87) On both sides of SW North Dakota Street between Scholls Ferry Road and Springwood Drive;

(88) On SW 70th Avenue between Beveland Street and Franklin Street;

(89) Along the southwest side of SW Commercial Street beginning at a point 250 feet southeast of the southeast curb of Main Street and continuing to a point 510 feet southeast of the southeast curb of Main Street;

(90) On both sides of SW Walnut Street between the south leg of 135th Avenue and SW Scholls Ferry Road;

(91) On both sides of SW Royalty Parkway between Pacific Highway and Naeve Street.

(92) Any portion of the right-of-way of SW 76th Avenue beginning at the south right-of-way line of Bonita Road and extending southerly 482 feet.

(93) Within the northeast half of SW Commercial Street beginning at a point three

TIGARD MUNICIPAL CODE

hundred forty eight feet southeast of the southeast right-of-way line of SW Main Street and continuing to a point four hundred forty eight feet southeast of Main Street. (Ord. 99-12; Ord. 99-11; Ord. 98-23; Ord. 98-09; Ord. 96-01; Ord. 95-32; Ord. 95-25; Ord. 95-23; Ord. 95-17; Ord. 95-07; Ord. 95-06; Ord. 94-22; Ord. 93-27 §§1, 2, 1993; Ord. 93-26 §1, 1993; Ord. 92-28 §1, 1992; Ord. 92-17 §1, 1992; Ord. 92-11 §1, 1992; Ord. 91-29 §1, 1991; Ord. 91-25 §1, 1991; Ord. 91-24 §1, 1991; Ord. 91-23 §1, 1991; Ord. 91-09 §1, 1991; Ord. 90-42 §1, 1990; Ord. 90-36 §1, 1990; Ord. 90-35 §1, 1990; Ord. 90-34 §1, 1990; Ord. 90-33 §1, 1990; Ord. 90-32 §1, 1990; Ord. 90-31 §1, 1990; Ord. 89-12 §1, 1989; Ord. 88-30 §1, 1988; Ord. 88-05 §1, 1988; Ord. 88-04 §1, 1988; Ord. 87-53 §1, 1987; Ord. 87-46 §1, 1987; Ord. 86-67 §1, 1987; Ord. 87-06 §1, 1987; Ord. 86-55 §1, 1986; Ord. 86-54 §1, 1986; Ord. 86-45A §1, 1986; Ord. 86-13 §1, 1986; Ord. 86-04 §1, 1986; Ord. 84-53 §1, 1984; Ord. 83-50 §1, 1983; Ord. 83-46 §1, 1983; Ord. 83-29 §1, 1983; Ord. 83-28 §1, 1983; Ord. 82-82 §1, 1982; Ord. 82-76 §1, 1982; Ord. 81-80 §1, 1981; Ord. 81-57 §1, 1981; Ord. 81-46 §1, 1981; Ord. 80-65 §§1, 3(part), 1980; Ord. 79-60 §1, 1979; Ord. 79-107 §1, 1979; Ord. 79-113 §1, 1979; Ord. 79-114 §1, 1979; Ord. 79-39 §1, 1979; Ord. 79-9 §1, 1979; Ord. 78-45 §1, 1978; Ord. 78-68 §1, 1979; Ord. 78-39 §1, 1979; Ord. 78-38 §1, 1977; Ord. 77-93 §1, 1977; Ord. 77-92 §1, 1977; Ord. 77-78 §1, 1977; Ord. 77-77 §1, 1977; Ord. 77-73 §1, 1977; Ord. 77-61 §1, 1977; Ord. 77-40 §1, 1977; Ord. 77-39 §1, 1977; Ord. 77-36 §2, 1977; Ord. 77-6 §1, 1977; Ord. 76-56 §1, 1976; Ord. 76-38 §1, 1976; Ord. 76-33 §1, 1976; Ord. 76-31 §1, 1976; Ord. 76-20 §1, 1976; Ord. 76-8 §1, 1976; Ord. 76-7 §1, 1976; Ord. 76-6 §1, 1976; Ord. 75-47 §1, 1975; Ord. 75-38 §1, 1975; Ord. 75-34 §1, 1975; Ord. 75-51 §1, 1975; Ord. 74-44 §1, 1974; Ord. 71-32 §1, 1971; Ord. 70-41 Ch. 7 §14, 1970).

10.28.135 Parking prohibited eight a.m. to six p.m.

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, between the hours of eight a.m. and six p.m. on any day of the week, including Saturday and Sunday, on the southerly one-half of the following portion of S.W. Johnson Street, in the city of Tigard, Oregon:

That portion of the southerly one-half of S.W. Johnson Street lying westerly of and within four hundred feet of the northwesterly right-of-way line of S.W. Pacific Highway. (Ord. 75-19 §1, 1975).

10.28.136 Loading zones--Authority to establish.

(a) The city council may establish loading zones along any street for the purpose of permitting the loading and unloading of merchandise and persons. The action of the city council establishing such loading zones must be taken by ordinance. In establishing loading zones the city council shall give consideration to the volume and nature of business within the area under consideration, the traffic demands upon the street in question, the nature of the need of the adjacent business or businesses and of the needs of other businesses within the immediate area, the width and surface of the street, and any other relevant information. In establishing loading zones, the city council may limit the applicability of the loading zone restriction to certain hours of the day or night. The characterization of the loading zone as an area of restricted parking shall be indicated by the placement of signs which shall indicate clearly the area affected, and which shall state the hours of the day during which the "loading zone" restricted applies.

TIGARD MUNICIPAL CODE

(b) Loading zones shall be reserved for use by commercial vehicle in loading and unloading persons and commodities during the hours designated on all days except Sundays and holidays. No person shall stop, stand or park any vehicle other than a commercial vehicle within the designated area between such hours, except that noncommercial vehicles may use such zones while actually engaged in the loading or unloading of persons or commodities, but noncommercial vehicles shall upon demand give way to commercial vehicles whose drivers desire to use the zone for loading or unloading purposes. Commercial vehicles using loading zones shall be entitled to the use of a loading zone only during such time as may reasonably be necessary for the loading and unloading of persons and materials and for so long as such activity actually continues. Loading zones shall not be used by employees of the business or businesses for the benefit of which they were established, for any purpose except the continuous loading or unloading of persons or materials.

(c) At all times other than those times designated in the ordinance establishing a particular loading zone, such zones shall be available for general use under the parking regulations applicable to the district in which they are located.

(d) The city council shall consider creation of loading zones upon application by any resident or property owner, and if, after consideration of the factors identified in subsection (a) above, the city council determines that a loading zone should be created, it shall create such loading zone by ordinance, and direct that the loading zone so established be marked by appropriate signs. The city shall procure appropriate signs and cause them to be installed. The applicant shall pay the city the cost of the necessary signs and poles and the cost of the labor necessary to install them, and installation shall not be made before such payment. (Ord. 76-10 §1, 1976).

10.28.137 Loading zones--Designated.

The following portions of public streets within the city of Tigard are designated as loading zones for the hours indicated:

(1) Repealed by Ord. 95-20;

(2) Within the easterly half of S.W. 87th Avenue, beginning at a point thirty feet southerly of an easterly extension of the south boundary line of S.W. Center Street and, thence, running southerly sixty feet. The described zone is designated as a loading zone between the hours of nine a.m. to three p.m., Saturdays, Sundays and holidays excluded;

(3) Repealed by Ord. 95-20. (Ord. 95-20; Ord. 92-27 §1, 1992; Ord. 86-60 §1, 1986; Ord. 86-14 §1, 1986; Ord. 81-90 §1, 1981; Ord. 76-10 §2, 1976).

10.28.138 Construction zones and temporary loading zones.

(a) Provision for Permits. Any person who finds it necessary to park a motor vehicle for actual construction or maintenance work or who finds it necessary to block off a parking space or spaces along the curb in a zone in which parking is controlled, shall be entitled to a construction zone permit. Any person who finds it necessary in connection with the conduct of a commercial enterprise or in the construction of a building, to park a motor vehicle or to block off a parking space or spaces along the curb for such work shall be entitled to a temporary loading zone permit. Application for a construction zone permit or a temporary loading zone permit shall be made in writing to the chief of police upon a form to be provided by him showing such information as he may request. The chief of police shall make such investigation as he deems necessary and, if he is satisfied that the applicant has a reasonable need for the permit, the chief of police shall issue a

TIGARD MUNICIPAL CODE

construction zone permit or a temporary loading zone permit.

(b) Term of Permit. The term of a permit issued by the chief of police pursuant to subsection (a) above shall be established by the chief of police and entered upon the permit but in no event shall a permit be issued for a period to exceed one year.

(c) Fees. The fee for a construction zone permit or a temporary loading zone permit shall be twenty-four dollars for one year or two dollars for each month or portion of a month for periods of less than one year. The fee shall be paid to the chief of police at the time of application. In the event the need for the permit terminates before the end of the term allowed by the permit as issued, the applicant shall be entitled to a refund in the amount of the charge that would have been made for the unused term of the permit.

(d) Display of Permit. Before any person shall use a parking space in such a way as to require the issuance of a construction zone or temporary loading zone permit he shall obtain the construction permit or temporary loading zone permit, and at all such times as the vehicle or vehicles shall be parked in the place authorized by such a permit, the permit shall be displayed in such a way as to permit one observing the vehicle from the outside to read it. If the vehicle is equipped with a sunvisor above or beside the windshield on the driver's side, the permit shall be displayed on the sunvisor, which shall be turned down so as to expose the permit toward the outside of the vehicle.

(e) The purpose of this section is to permit use of the public streets for parking in circumstances in which parking would otherwise be prohibited or limited as to time pursuant to the ordinances of the city of Tigard. (Ord. 78-75 §2, 1978).

10.28.140 Violation--Mode of charging defendant.

(a) In all prosecutions for violation of city motor vehicle parking laws, it shall be sufficient to charge the defendant by an unsworn written notice if the same clearly states:

- (1) The date, place and nature of the charge;
- (2) The time and place for defendant's appearance in court;
- (3) The name of the arresting officer;
- (4) The license number of the vehicle.

(b) The notice provided for in subsection (a) of this section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. The notice shall serve as the complaint in the case. In all other respects the procedure now provided by law in such cases shall be followed. (Ord. 70-41 Ch. 7 §15, 1970).

10.28.150 Violation--Penalty.

Any violation of the provisions of any section of this chapter or any rule or regulation therein stated, shall, upon conviction, be punishable by a fine of not more than one hundred dollars for each violation. (Ord. 70-41 Ch. 7 §30, 1970).

10.28.160 Authority to impound improperly parked vehicles.

(a) When any unattended vehicle is parked upon any street, alley or public way of the city of Tigard in such a manner that it is unlawfully parked in any prohibited or restricted area; or is unlawfully parked for a length of time prohibited

TIGARD MUNICIPAL CODE

by ordinance or resolution of this city; or is parked in such a position that it constitutes an obstruction to traffic or creates a danger to travel upon the street, alley or public way; or is found abandoned in any street, alley or public way; or in the event that an operator of a vehicle is arrested and placed in custody and is not in condition to drive the vehicle to a place of safety and there is no other person present who may properly act as agent for such operator to drive the vehicle to a place of safety, such vehicle is declared to be a public nuisance and subject to summary abatement, removal and impounding.

(b) Both the owner and the operator of a vehicle impounded pursuant to subsection (a) of this section shall be legally responsible for payment of the costs of towing and storage. The towing and storage charges shall be established in advance, pursuant to an agreement between the police department of the city of Tigard and the towing and storage firm or firms called upon to conduct such business. No charges in excess of those previously agreed upon shall be levied against the owner or operator of a vehicle towed pursuant to subsection (a) of this section.

(c) The towing service called upon to impound a vehicle and finding the owner or driver thereof present shall release the vehicle upon the presentation of proper identification of the owner or operator, and upon the owner or operator's signing an authorized receipt in duplicate (except where exclusive orders are given by the police department that the vehicle be impounded), and a service charge not to exceed one-half of the cost for the towing of the vehicle shall be made, that charge to be paid by the owner or operator. The duplicate signed receipt shall be given to the operator or owner of the vehicle, and the original signed copy shall be recorded by the towing service in its ledger of releases. (Ord. 77-98 §1, 1977).

10.28.170 Parking prohibited in specified places.

It is unlawful for the driver of a vehicle to stop or park the vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

(1) Within an intersection;

(2) On a crosswalk;

(3) Within fifty feet of any uncontrolled intersection or any intersection controlled with side-mounted stop signs, side-mounted yield signs, or side-mounted signals, except:

(A) One one-way streets leaving an intersection;

(B) On streets otherwise signed if:

i) The vehicle is over six feet in height, or

ii) The vehicle is less than six feet in height but by manufacture or modification, obscures the vision of:

a. Any official side-mounted traffic control sign or signal,

b. Intersection traffic, or

c. Any pedestrian in a crosswalk;

(iii) Vehicles described in (3)(B) above include, but are not limited to, the following:

a. Vehicles with darkened, shaded or curtained windows,

TIGARD MUNICIPAL CODE

b. Vehicles modified to eliminate side window(s) and/or rear windows,

c. Vehicles with visibility through windows blocked by parcels, packages or freight,

d. Pickup vehicles of less than six feet in height but mounted with a canopy or camper with limited visibility through it,

e. Panel trucks (except those with windows on both sides of the rear portion of the truck, and also on the back of the truck);

(iv) An uncontrolled intersection is one where there are no traffic-regulating signs or signals.

(4) Any other vehicle not identified in subsection (3) above, within twenty-five feet from the intersection of curb lines, or if none, then within fifteen feet of the intersection of property lines at an intersection within a business or residence district;

(5) Within fifteen feet of the driveway entrance to any fire station;

(6) Within ten feet of a fire hydrant, save and except taxicabs occupying properly signed taxi zones;

(7) In front of a private driveway;

(8) On a sidewalk or parking strip;

(9) On the roadway side of any vehicle stopped or parked at the edge of a street or highway;

(10) At any place where official signs, curb paint, or markings have been installed prohibiting standing, stopping or parking; provided, however, driver-attended private passenger motor vehicles,

taxicabs or other public conveyances may stop for not more than thirty seconds in such a tow-away zone for the purposes of loading and unloading passengers;

(11) In front of the entrance of any post office or other place where mail is received; or within ten feet of a mailbox during the hours of eight a.m. to four-thirty p.m. in any residential area;

(12) In any street, alley or lane, so as to prevent the free passage of other vehicles in both directions at the same time (except on one-way streets), or so as to prevent any vehicle from turning from one street into another;

(13) In any street, alley or lane, in lieu of offstreet parking, for a period longer than forty-eight hours;

(14) In any emergency zone;

(15) In any loading zone, except as to a commercial vehicle when actually engaged in loading or unloading goods, wares, merchandise or materials, for a period not exceeding twenty minutes; and as taxicabs when loading or unloading passengers or merchandise, for a period of time not exceeding two minutes;

(16) In a bus loading zone, except a motor bus or taxicab actually engaged in loading or unloading passengers or merchandise for a period not exceeding two minutes;

(17) In any construction zone, except by such vehicles as are actually necessary to the construction work being carried on;

(18) On city-owned or city-operated property designated for use for motor vehicle parking by authorized city personnel only, without the consent of the city, if there is in plain view on such property a sign prohibiting public parking or

TIGARD MUNICIPAL CODE

restricting parking;

(19) Within any city park or part thereof, during the time the park, or the relevant part of it, is closed to the public. (Ord. 87-70 §1, 1987; Ord. 78-76, 1978).

10.28.175 Residential parking zones.

(a) The city council, pursuant to TMC Section 10.32.010 may establish residential parking zones. The purpose of residential parking zones is to prohibit parking by nonresidents during specific time periods within specific geographic areas used predominantly for residential purposes. The city council resolution which establishes the residential parking zone shall clearly define the geographic limits of the area affected by the zone and the hours during which the parking by nonresidents will be prohibited. Residents within the parking zones may obtain a permit from the city administrator pursuant to subsection (b) of this section to allow for the parking of vehicles within the zone during the restricted hours.

(b) The city administrator shall establish procedures and standards for the issuance of permanent and temporary permits to residents that will allow the residents and their guests to park their vehicles within residential parking zones during the restricted hours. At a minimum, the administrator shall establish rules which establish the criteria for issuance, surrender and revocation of permits, evidence of proof of residence and vehicle ownership, terms of the permit, standards for display of the permit, and allow for the issuance of temporary permits to residents for the parking of nonresident vehicles for temporary periods upon a showing of reasonable need for such permits.

(c) The city administrator shall cause to be installed and maintained, pursuant to TMC 10.32.020, official signs for residential parking

zones which clearly identify the parking restrictions for nonresidents and the exception to those restrictions for permit holders within the residential parking zones.

(d) It shall be unlawful for any person to:

(1) Provide false information in connection with an application for a permanent or temporary permit;

(2) Fail to surrender a permit, when requested to do so, when the person is no longer entitled to the permit;

(3) Use a permit when the permit holder is no longer entitled to the permit;

(4) Use, or allow the use of a permit in conjunction with a vehicle other than the vehicle for which the permit was issued;

(5) Use, or allow the use of a temporary permit in a manner inconsistent with the terms and limitations of the permit.

(e) The city administrator is authorized to revoke any permit when the permit holder is found to be in violation of the provisions of this section, and, upon written notification thereof, the permit holder shall surrender the permit to the administrator. Failure to do so shall constitute a violation of this section. (Ord. 91-26 §1, 1991).

10.28.180 Definitions for Sections 10.28.190 through 10.28.210.

As used in Sections 10.28.190 through 10.28.210 unless the context requires otherwise:

(1) "Disabled parking space" means a parking space that is on private or public property and is marked or signed to provide parking for disabled persons.

TIGARD MUNICIPAL CODE

(2) "Disabled person" means a person who permanently suffers from any of the following disabilities:

(a) Loss or loss of function of one or both legs or significant limitation in the use of the legs;

(b) Inability to be mobile without the use of a wheelchair or other assistance device;

(c) Loss or loss of function of both hands;

(d) Loss of vision or substantial loss of visual acuity or visual field beyond correction;

(e) Respiratory disability that makes use of walking as a means of transportation impossible or impractical; or

(f) Cardiovascular disability that makes use of walking as a means of transportation impossible or impractical.

(3) "Government building" and "public building" have the meanings given those terms in ORS 447.210.

(4) "Marked motor vehicle" means a motor vehicle conspicuously displaying the decal, insignia or plates issued under the provisions of ORS 487.925. (Ord. 80-58 §1, 1980).

10.28.190 Application of parking regulations to disabled persons.

A disabled person may:

(1) Park a marked motor vehicle in any public parking zone restricted as to the length of time parking is permitted therein without incurring the penalties imposed for overtime parking in such zones; and

(2) Park a marked motor vehicle in any public parking zone with metered parking without being required to pay any parking meter fee.

(3) The provisions of subsection (1) of this section do not apply:

(a) To parking in zones where stopping, parking or standing of all motor vehicles is prohibited;

(b) To late evening or overnight parking where such parking is prohibited;

(c) To parking in zones reserved for special types of motor vehicles or activities; or

(d) To parking in zones where parking is permitted only for thirty minutes or less.

(4) A person who is not disabled as defined in Section 10.28.180, and who exercises the privileges granted a disabled person under this section, commits a parking violation as provided in Section 10.28.150. (Ord. 80-58 §2, 1980).

10.28.200 Parking in space reserved for disabled persons prohibited-- Exceptions.

(1) Except as provided in subsection (2) of this section, no person shall park a vehicle that is not a marked motor vehicle in a disabled parking space.

(2) Subsection (1) of this section does not apply:

(a) To a vehicle that is momentarily in a disabled parking space for purposes of allowing a disabled person to enter or leave the vehicle.

(b) To any disabled parking space that is subject to different provisions or requirements under city ordinance if the different provisions or

TIGARD MUNICIPAL CODE

requirements are clearly posted.

(3) Violation of subsection (1) of this section is a parking violation as prohibited in Section 10.28.150. (Ord. 80-58 §3, 1980).

10.28.210 Removal and impoundment of vehicle unlawfully parked in space reserved for disabled persons.

A vehicle parked on private property in violation of Section 10.28.200 is subject to the provisions of Section 10.28.160. (Ord. 80-58 §4, 1980).■

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Amending Section 2.46 of the Tigard Municipal Code relating to the Local Contract Review Board

PREPARED BY: Terry Muralt DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Shall Council accept the amending and updating of Section 2.46 of the Tigard Municipal Code relating to the Local Contract Review Board.

STAFF RECOMMENDATION

Accept the amending and updating of Section 2.46 of the Tigard Municipal Code relating to the Local Contract Review Board.

INFORMATION SUMMARY

Section 2.46 of the Tigard Municipal Code relating to the Local Contract Review Board has not been updated since 1996. The amending and updating of Section 2.46 is part of the larger project of updating the entire Tigard Municipal Code that was initiated by the City Manager earlier this year.

In summary, the major changes in the TMC 2.46 are as follows:

- 2.46.010 Policy – Additional language has been incorporated regarding federal funds involved in any contracts subject to this chapter.
- 2.46.060 Meetings: Notice: Agenda – Deleted wording relating to Board agenda exemptions. The wording was determined not necessary for this chapter.
- 2.46.070 Attendance: Quorum: Voting – There was duplication of wording in section (b) and (c) regarding the voting action of the Board. These sections were deleted and put into section (a) to read: All actions of the Board shall require a majority vote of the board members present and voting.
- 2.46.130 Petty Cash - This section was determined not necessary for this chapter and is being deleted. Petty Cash or “Imprest Cash Accounts” is covered in chapter 3.04.
- 2.46.140 Limitation to expenditures – Clarifies expenditures in regards to projects and type of contracts.
- 2.46.160 Duties of the Finance Director – This section was determined not necessary for this chapter and is being deleted.

OTHER ALTERNATIVES CONSIDERED

Reject update and proceed to revise amendments per Council's request.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

None

ATTACHMENT LIST

Ordinance

FISCAL NOTES

None

CITY OF TIGARD, OREGON

ORDINANCE NO. 01-

AN ORDINANCE REPEALING ORDINANCE NO. 96-08 AND ADOPTING REVISED PROVISIONS RELATING TO THE LOCAL CONTRACT REVIEW BOARD.

WHEREAS, The City's Tigard Municipal Code Section 2.46 relating to the Local Contract Review Board was last updated in 1996.

WHEREAS, The City desires to update and revise provisions relating to the Local Contract Review Board

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

Section 1: Ordinance No. 96-08 is hereby repealed in its entirety and the following is adopted as the revised provisions relating to the Local Contract Review Board.

Section 2: Policy

1. All public contracts shall be based upon competitive bidding except as expressly provided by State law, this chapter or the rules adopted by the ~~Local Contract Review~~ Board.

2. If federal funds are involved in any contract subject to this Chapter, federal laws, rules and regulations shall control in the event of conflict with State law or this Chapter

Section 3: Definitions: As used in this chapter, unless the context requires otherwise:

1. "AR" means City of Tigard administrative purchasing rules adopted by the Board.

1.2. "Board" means the City of Tigard, Local Contract Review Board.

23. "Competitive Bidding" means the issuing of invitations to bid which follow the formal process for advertising, bid, and bid opening.

4. "ORS" means Oregon Revised Statutes as applicable and as amended.

35. "Personal Services" means a contract for services performed by an independent contractor in a professional capacity.

46. "Public Contract" means any purchase, lease or sale by the City of personal property, public improvements or services other than agreements, which are for personal services.

57. "Public Improvement" means projects for construction, reconstruction or major renovation on real property by or for a public agency. "Public Improvement" does not include emergency work, minor alteration, ordinary repair or maintenance necessary in order to preserve a public improvement.

Section 4: ~~Local Contract Review~~ Board; Powers; Authority to adopt rules

1. The ~~e~~City Council shall be the ~~l~~Local ~~e~~Contract ~~r~~Review ~~b~~Board.
2. The ~~b~~Board shall have all of the powers that ~~the Local Contract Review Board~~ may be exercise in the State at large.
3. The ~~b~~Board shall adopt rules governing the awarding of ~~public contracts~~ City contracts and bidding procedures.

Section 5: The Organization of the ~~b~~Board

1. The mayor shall act as the ~~e~~Chairperson of the ~~b~~Board. The president of ~~e~~Council shall act as the ~~v~~Vice-~~e~~Chairperson.
2. The ~~e~~Chairperson shall preside over the meetings and in the absence of the ~~e~~Chairperson or in the event a vacancy occurs, the line of succession shall be the same as the line of succession which applies to the ~~e~~Council.

Section 6: Rules of Procedures

~~Roberts Rules of Order, excepting that seconds will not be required,~~ Council groundrules will govern proceedings of the ~~b~~Board where they do not conflict with these rules or statutory provisions.

Section 7: Meetings: Notice: and Agenda

1. The applicable provisions of the Public Meetings Law shall control the notice and character of meetings of the Board.
2. Meetings of the Board may be scheduled at any time including ~~either~~ before, during, or after a regularly scheduled Council meeting.
3. Meetings shall be called in the same manner as a Council meeting.
4. Notice of the meeting shall be given as provided by ~~s~~State law.
5. Meetings of the Board may be held by conference telephone call after required public notice. The City shall make available to the public at least one place where the public can listen to the meeting by means of a speaker telephone.
6. On urgent or perfunctory matters, the Chairperson may, by telephone, poll the members of the Board. Electronic transcripts of the polling calls will be made and retained. In the course of a poll, any member may request the matter be discussed by conference call or deferred to a meeting.

7. Prior to conference calls or telephone polls, the press and public, including persons directly interested in the subject matter of the poll, shall be given reasonable notice of a place where they can listen to the meeting or poll at the time of the meeting or poll.
8. The agenda shall be prepared by the City Recorder.

~~9. The agenda of the meetings of the Board shall include the following:~~

- ~~a. Unanimous consent calendar pursuant to AR 80.050 including a brief description of the contract exempted and the amount of the contract.~~
- ~~b. Consideration without hearing of pending applications for exemption. The agenda will list all proposed pending exemptions with a brief description of proposed exemptions including the amount of the contract.~~
- ~~c. Consideration with hearing of pending applications for exemption rulings.~~
- ~~d. Contested case hearings of appeals of disqualification or revocation or prequalification, including the name of the contractor and the grounds of the proposed disqualification or revocation or prequalification.~~

~~109.~~ Routine ~~Local Contract Review~~ Board business may be conducted on the consent agenda of a regularly scheduled Council meeting.

Section 8: Attendance: Quorum: Voting

1. Attendance of, at least, three Board members shall be required in order for the Board to take any action. All actions of the Board shall require a majority vote of the Board members present and voting.
- ~~2. Actions exercising the rule making authority of the Board shall require a majority vote of the Board members present and voting.~~
- ~~3. Actions exercising the administrative or quasi judicial authority of the Board shall require a majority vote of the Board members present and voting.~~

Section 9: Decisions by the Board

1. The Board shall exercise its rule making power in the same manner that it exercises its legislative power.
2. The Board shall exercise its adjudicative power in the manner provided by State law.

Section 10: Records

1. The City Recorder or designee shall be present at all meetings and shall provide for the recording~~ation~~ of all meetings and shall maintain minutes of all meetings as required by law including any vote taken.
2. The Director of Finance or designee shall maintain the records and prepare findings and reports as required by the Board and the rules adopted by the Board.
3. ~~All reports required to be submitted to the Board by those rules or statutes shall be provided to each Board member in advance of the date the item is scheduled for review.~~ Staff reports shall be provided to each Board member in advance of the date the item is scheduled for review.

Section 11: Administrative authority to obligate the City

1. The Board shall approve all public contracts, ~~and~~ personal services contracts or any other type of contract let by the City except as otherwise provided by Section 12.

Section 12: Delegation of authority to obligate the City

1. The City ~~Administrator~~Manager or designee shall have the authority to obligate the City without specific Board approval provided as follows:
 - a. The obligation has been appropriated in an adopted budget.
 - b. The rules adopted by the Board have been complied with as indicated by written findings and records.
 - c. The public contract, ~~or~~ personal services contract or any other type of contract let by the City does not exceed \$25,000.
 - d. The obligation is for a single complete item or contract and not a part or component of a project.

- ~~2. The Director of Finance shall have the authority to approve payment of routine ongoing expenditures including but not limited to City Attorney bills, utilities, payroll taxes and benefits, and payments to other agencies.~~

Section 13: Authorization to advertise

The City ~~Administrator~~Manager or designee shall have the authority to approve advertising for all bids.

~~Section 14: Petty Cash~~

- ~~1. The Petty Cash Custodian shall be appointed by the Director of Finance. The Director shall establish guidelines and procedures for the expenditure and accounting for petty cash funds.~~
- ~~2. The Petty Cash Custodian shall have the authority to approve purchases using petty cash provided:~~
 - ~~a. The purchase shall be for an incidental expenditure;~~
 - ~~b. The purchase shall not exceed the limits set by the City Administrator.~~

Section 15: Limitation to expenditures

1. The delegated authority to obligate the City shall be subject to the following limitations:
 - a. The expenditure shall be for a single complete item or contract; and
 - ~~b. The item or contract shall not be a component of a project except in the case of a project, which involves a personal services contract and a public contract. In this situation, the personal services contract portion shall be considered a single complete project and the public contract portion shall be considered a single complete project.~~The expenditure shall not be a component of a project with a total cost in excess of \$25,000, except in the case of a project which involves a personal services contract and a public contract. If a project involves a personal service contract and a public contract, the two contracts shall be considered separate projects.

Section 16: Duties of the ~~Administrator~~ City Manager

1. The City ~~Administrator~~Manager or designee shall establish and maintain a centralized system for the purchase, contract and sale of property and services.
2. The City ~~Administrator~~Manager or designee shall prepare a manual which sets forth the procedures and forms to be used in the award of public contracts, personal services

contracts, construction contracts, and the sale of property for adoption by the Board by Resolution.

3. The City ~~Administrator~~Manager or designee shall implement the procedures set forth in the manual and, as necessary, shall recommend amendments to the manual to the Board.

Section 17: Duties Of The Director of Finance

- ~~1. The Director of Finance shall establish, maintain, and amend, as necessary, accounting procedures which set forth appropriate controls to implement the authority contained in this Chapter and which comply with Generally Accepted Accounting Principles.~~

Section 18: Purchasing from eCity employees

1. The purchase of any supplies, materials, equipment, labor or services, including personal, professional, technical and expert services from any City employee, or any business with which a City employee is associated shall be subject to prior written approval by the City ~~Administrator~~Manager and approval shall be based upon findings that:
 - a. The purchase will be at the least cost to the City;
 - b. The purchase will result in the most efficient method to accomplish the City's purpose;
 - c. The purchase could not lead to any alleged violations of the Personnel Rules;
 - d. The approval of the purchase could not lead to an adverse employer-employee relationship should the contract be unsatisfactorily performed; and
 - e. All rules adopted by the Board have been satisfied.
2. For purposes of this section "any business with which a City employee is associated" means any business of which the employee is a director, officer, owner or employee, or any ~~business association~~corporation in which the City employee owns or has owned ~~more than ten percent~~ 10 percent or more of any class of stock at any ~~of the business~~ within the preceding calendar year.

Section 19: The Tigard City Council further directs the City Recorder to file this document and any future revisions with the Washington County Board of Commissioners pursuant to ORS 279.055.

SECTION : This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2001.

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2001.

James E. Griffith, Mayor

Approved as to form:

City Attorney

Date

ORDINANCE No. 01-__

Page 7

AGENDA ITEM # _____
FOR AGENDA OF November 27, 2001

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Vote on the City of Tigard's Choice for the Washington County Other Cities
Alternate Position – Metro Policy Advisory Board (MPAC)

PREPARED BY: Cathy Wheatley DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Select City of Tigard's choice for the Washington County Other Cities Alternate Position for the Metro Policy Advisory Committee (MPAC).

STAFF RECOMMENDATION

Pass a motion nominating the City of Tigard's selection for the MPAC alternate position.

INFORMATION SUMMARY

The City of Tigard City Council submitted Mayor Jim Griffith's name to Beaverton Mayor Rob Drake as Tigard's nomination for the vacant MPAC Alternate position for "Other Cities in Washington County." One other nomination was forwarded to Mayor Drake: Sherwood City Councilor Angela Weeks. The City has now received a request from MPAC staff (attached) to vote on its selection for the vacancy.

Once the Council's selection is made, the City Recorder will notify MPAC staff's of Tigard's vote.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

November 15, 2001, Letter from Metro MPAC Staff.

FISCAL NOTES

N/A

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METRO

November 15, 2001

RECEIVED C.O.T.
NOV 16 2001
Administration

The Honorable Jim Griffith
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

Dear Mayor Griffith:

The Washington County Other Cities Alternate position on the Metro Policy Advisory Committee (MPAC) is currently vacant. Recently, Rob Drake, Mayor of Beaverton solicited nominations from the Cities in Washington County to fill that position.

The nominees are:
Jim Griffith, Mayor of Tigard
Angela Weeks, Sherwood City Councilor

I would ask that at an upcoming Tigard City Council Meeting that the City Council indicate by vote who their selection would be to fill that position. If you would ask your Council Clerk to notify me of the selection after the vote, I would appreciate it very much.

If there are questions, do not hesitate to contact me at (503) 797-1501.

Sincerely,

Cathy Kirchner
MPAC Staff